

LAWS=NEW JERSEY
1947

New Jersey State Library

ACTS
OF THE
One Hundred and Seventy-first Legislature
OF THE
STATE OF NEW JERSEY
AND
One Hundred and Third Under the New Constitution

Preceded by Additional Acts of 1946
(Chapters 320 to 325 and Joint Resolutions Nos. 8 and 9)



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New Jersey State Library

ADDITIONAL LAWS OF 1946
(Chapters 320 to 325 and Joint Resolutions Nos. 8 and 9)

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

LLOYD B. MARSH,
Secretary of State.

ADDITIONAL ACTS

PASSED BY

The One Hundred and Seventieth Legislature

CHAPTER 320

AN ACT to amend the title of "An act concerning parks in certain counties, and supplementing chapter thirty-seven, Title 40, of the Revised Statutes," approved May third, one thousand nine hundred and forty-six (P. L. 1946, c. 279), so that the same shall read "An act concerning county parks, and supplementing chapter thirty-seven, Title 40, of the Revised Statutes," and to amend the body of said act.

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

1. The title of "An act concerning parks in certain counties, and supplementing chapter thirty-seven, Title 40, of the Revised Statutes," approved May third, one thousand nine hundred and forty-six (P. L. 1946, c. 279), is amended to read "An act concerning county parks, and supplementing chapter thirty-seven, Title 40, of the Revised Statutes."

C. 40:37-11.2.
Title amended.

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

Section
amended.

1. The county park commission in any county may contract with any municipality in such county for the temporary use and occupancy of any lands owned by or under the care, custody and control of such park commission for the purpose of constructing, operating and maintaining emergency housing and other dwelling facilities for veterans of World

May contract
for temporary
use of lands.

War II and other persons, upon such terms, subject to such conditions and in such manner as such park commission may deem proper or necessary for the preservation for park purposes of the lands of such county park commission, and as may be agreed upon between the contracting parties.

3. This act shall take effect immediately.

Approved October 1, 1946.

CHAPTER 321

AN Act to amend the title of "An act to authorize any city, borough, village, town, township, or other municipality, other than a county or school district, to provide temporary or permanent safe and sanitary dwellings for citizens of this State, and to manage and maintain the same to borrow funds for such purpose and to issue municipal obligations therefor," approved April twelfth, one thousand nine hundred and forty-six (P. L. 1946, c. 79), so that the same shall read "An act to authorize any city, borough, village, town, township, or other municipality, other than a county or school district, to provide temporary or permanent safe and sanitary dwellings for citizens of this State, and to manage and maintain the same, to borrow funds for such purpose and to issue municipal obligations therefor, and to make appropriations for such purpose," and to amend and supplement the body of said act.

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

Title amended.

1. The title of "An act to authorize any city, borough, village, town, township, or other municipality, other than a county or school district, to provide temporary or permanent safe and sanitary

dwellings for citizens of this State, and to manage and maintain the same to borrow funds for such purpose and to issue municipal obligations therefor," approved April twelfth, one thousand nine hundred and forty-six (P. L. 1946, c. 79), is amended to read "An act to authorize any city, borough, village, town, township, or other municipality, other than a county or school district, to provide temporary or permanent safe and sanitary dwellings for citizens of this State, and to manage and maintain the same, to borrow funds for such purpose and to issue municipal obligations therefor, and to make appropriations for such purpose."

New title.

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

Section amended.

2. As used in this act, unless a different meaning clearly appears from the context, (a) "municipality" shall mean any city of any class or any borough, village, town, township, or other municipality, other than a county or a school district; (b) "governing body" shall mean the commission, council, board, or body, by whatever name it may be known, having charge of the finances of the municipality; (c) "real property" shall mean lands and improvements thereof or thereon, or any rights or interest therein; (d) "Federal Government" shall mean the United States of America, or any department, agent, or officer thereof, or any corporation created thereby; and (e) "State Government" shall mean the State of New Jersey, or any department, board, agency, authority, agent or officer thereof, or any public corporation created thereby.

Terms defined.

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

Section amended.

4. Any municipality shall have power to provide, in the manner prescribed and subject to the limitations imposed by this act, safe and sanitary dwellings suitable for the use of veterans and their families and other citizens of the State. In order to provide such dwellings any such municipality

May acquire, build and equip dwellings.

may acquire by purchase, lease or gift necessary real property, and may erect, reconstruct, alter or otherwise improve buildings, either permanent or temporary, and may acquire and install therein the furnishings and equipment necessary to render such buildings suitable for human habitation, and may construct any streets, sewers, water service pipes or other utilities, not competitive with any public utility as defined in section 48:2-13 of the Revised Statutes, necessary or convenient for the use of persons living in such dwellings, and may purchase or acquire by gift or rent from the Federal Government or the State Government portable or temporary or movable dwellings and may accept donations of money or of materials, furnishings or equipment. Any such municipality may do any and all things necessary or advisable to co-operate with, or to act as agent for, the Federal Government, or the State Government, with respect to any housing procured from it, or to secure from the Federal Government or the State Government financial aid in providing such dwelling accommodations.

Local
ordinances
nonoperative.

4. Notwithstanding the provisions of any zoning or other municipal ordinance or building code to the contrary, the governing body of any municipality may, in its discretion, provide by resolution for the erection or reconstruction of any portable or temporary or movable dwelling unit or units, whether purchased or acquired from the Federal Government, or from the State Government, or otherwise, in or upon any area within such municipality, including any lands of such municipality held by it for park or other public use.

Tenement
house
regulations
not to operate.

Any provisions of subtitle 1, of Title 55, of the Revised Statutes, relating to Tenement Houses, or of the regulations of the board of tenement house supervision of the State of New Jersey, to the contrary notwithstanding, any such municipality may, in its discretion, provide by resolution, for such erection or reconstruction of any such dwelling units on any such property; *provided, however*, that such units do not exceed two stories in height.

Proviso.

None of the powers granted by this section shall be exercised except by resolution passed prior to July first, one thousand nine hundred and forty-eight.

Exercise
of powers.

Any portable or temporary or movable dwelling unit or units erected, constructed or reconstructed by any municipality in violation of any zoning or other municipal ordinance or building code, or in violation of the provisions of subtitle 1, of Title 55 of the Revised Statutes, relating to Tenement Houses, or of the regulations of the board of tenement house supervision of the State of New Jersey, as authorized by this section, may be rented, leased, managed, operated or maintained for a period not in excess of five years from the date of the acquisition of such dwelling unit or units.

Five years
limit on
temporary
housing.

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

Section
amended.

9. None of the powers granted by section four of this act shall be exercised except by resolution passed prior to July first, one thousand nine hundred and forty-eight.

Exercise
of power.

6. This act shall take effect immediately.
Approved October 1, 1946.

CHAPTER 322

AN ACT to reduce from six million dollars (\$6,000,000.00) to two hundred thousand dollars (\$200,000.00) the appropriation made to the State Capitol Building Commission by item J-5 in the annual appropriation act for the fiscal year ending June thirtieth, one thousand nine hundred and forty-seven (Chapter 111, P. L. 1946).

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

Appropriation
reduced.

1. The item of six million dollars (\$6,000,000.00) made to the State Capitol Building Commission by item J-5 of the annual appropriation act for the fiscal year ending June thirtieth, one thousand nine hundred and forty-seven (Chapter 111, P. L. 1946) is hereby reduced from said sum of six million dollars (\$6,000,000.00) to two hundred thousand dollars (\$200,000.00).

2. This act shall take effect immediately.

Approved October 1, 1946.

CHAPTER 323

AN ACT providing for housing for veterans of World War II and other people of the State and declaring an emergency in respect thereto.

WHEREAS, The Federal Public Housing Authority Preamble.
is unable to provide sufficient emergency housing
under its program; therefore,

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

1. It is hereby declared that an acute public emergency exists in the serious shortage of dwelling accommodations for veterans of World War II, their families, and other people of this State; that adequate, safe, and sanitary dwelling accommodations are unavailable for veterans of World War II and their families; that the resulting conditions of insecurity, overcrowding, use of unsound and unsanitary buildings, and dislocation of family life are disruptive of morale, injurious to health and safety, and detrimental to morals, and constitute a dangerous threat to the well-being of the entire State; that this condition cannot be adequately and immediately remedied by the normal processes of construction of permanent housing, but rather constitutes a critical emergency which requires emergency measures, including provision for the condemnation of property and the taking of certain property before compensation is made therefor; that this emergency requires the mobilization and co-ordination of State and local governmental facilities; that this emergency requires that provision be made for public emergency housing as hereinafter provided; that this emergency requires that municipalities be authorized to co-operate and enter into agreements with the government of the State or with an agency thereof, to the end that emer-

C. 55:14G-1.
Housing
emergency.

gency housing may be provided as expeditiously as possible; that this emergency requires the temporary suspension of various normal restrictions, prohibitions, limitations, and procedures, in order that immediate relief from this condition may be provided; that the acquisition, construction, management, operation, and disposition of such emergency housing and the real and personal property and other facilities necessary, incidental, or appurtenant thereto is a public use for which public money may be spent, and property acquired; and that the necessity in the public interest for the provisions hereinafter enacted is a matter of legislative determination.

C. 55:14G-2. 2. The following terms, whenever used or referred to in this act, shall have the following meaning, unless a different meaning clearly appears from the context:

Authority; a. "Authority" means the public housing and development authority in the State Department of Economic Development;

Administrator; b. "Administrator" means the administrator of the public housing and development authority who is the Commissioner of the Department of Economic Development;

Municipality; c. "Municipality" means any city of any class, or any borough, village, town, township, or other municipality, other than a county or a school district;

Federal government. d. "Federal Government" and "United States Government" mean the United States of America, or any department, administration, authority, agent, or officer thereof, or any corporation created thereby.

C. 55:14G-3. 3. The public housing and development authority in the Department of Economic Development shall have complete power and authority to co-ordinate all the programs, planning and construction contemplated by the provisions of this act, and to do and to authorize all things incidental, desirable or necessary to effect the purposes thereof in accordance with such rules and regulations as may be

established by the administrator and approved by the Economic Council of the Department of Economic Development.

4. The administrator, in addition to his powers and duties otherwise provided by this act shall, subject to the approval of the Economic Council of the Department of Economic Development, appoint officers and employees and engage technical and professional experts, and such other personnel as he may consider necessary for the expeditious accomplishment of the purposes of this act. He shall prescribe the duties of all such persons thus appointed and shall, subject to the approval of the Economic Council in the Department of Economic Development, fix their compensation. The compensation of all such persons thus appointed shall be paid from the appropriation hereinafter provided.

C. 55:14G-4.
Appointment
of officers and
employees.

5. The administrator, his representatives or any of them, may enter in the day time upon vacant or abandoned lands, tenements, hereditaments, and upon waters which they may deem necessary to be surveyed, used or converted for the purpose of inspecting the same and for the purpose of laying out, surveying, and preparing plans for conversion into emergency housing.

C. 55:14G-5.
Right of
entry.

6. The administrator shall adopt such plans for the acquisition of real and personal property as will most speedily provide the emergency housing contemplated by this act. Such plans shall make provision for the immediate erection or conversion of the portable or temporary or movable dwellings which may be acquired, first at such sites as already have available therefor installations of services and facilities, including water, sewerage, gas and electricity. The administrator shall, subject to the approval of the director of the division of purchase and property in the State Department of Taxation and Finance, have power to acquire in the name of the State, real and personal property including, but not limited to, the types hereinafter mentioned, viz.:

C. 55:14G-6.
Acquisition
of property
and facilities.

Types of
property to
be secured:

Military
and naval
installations;

a. Military and naval installations, structures or other property which the United States Government is willing to make available to the State of New Jersey for emergency housing and which are so located or constructed that they or any of them in present form or by conversion will furnish emergency housing or materials for emergency housing, or aid in emergency construction for residents of this State;

Miscellaneous
property.

b. Trucks, trailers, ships, and any dwelling unit, or other structure, vehicle, vessel, machine or thing which in its present form or by conversion may furnish emergency housing, material for emergency housing, or aid in emergency housing construction.

The administrator may acquire any such real or personal property by purchase, gift or lease, subject to any reasonable terms or conditions required by the owner or free from conditions.

C. 55:14G-7.
Acquiring public or private
property.

7. The administrator shall also have power to acquire in the name of the State, any lands or structures suitable for emergency housing, whether publicly or privately owned, by purchase, gift or lease, subject to any reasonable terms or conditions required by the owner or free from conditions.

C. 55:14G-8.
Right of
eminent
domain.

8. The administrator shall also have power to acquire by condemnation any vacant land or any property on which a building or buildings has or have been erected, which building or buildings are uninhabitable and vacant.

Whenever the administrator deems it necessary to acquire property by condemnation, he shall proceed pursuant to the provisions of chapter one of Title twenty of the Revised Statutes, relating to Eminent Domain, except that he may enter upon and take such property in advance of making compensation therefor, and shall forthwith institute condemnation proceedings therefor.

C. 55:14G-9.
May accept
property by
loan, etc.

9. The administrator may also accept property, real or personal, by loan or license, either free from

conditions or subject to any reasonable terms or conditions.

10. To accomplish the purposes of this act, whenever any property shall be selected as aforesaid for the purpose of providing such emergency housing, the administrator may enter into an agreement with the owner or owners of such property, whereby such owner or owners shall agree to convert such property into emergency housing pursuant to any existing provisions of law and upon compliance of such owner or owners with such voluntary agreement the administrator shall not acquire such property by condemnation.

C. 55:14G-10.
Agreements
in lieu of
condemnation.

11. When property is acquired by any of the methods outlined hereinbefore, the administrator shall prepare plans, specifications and estimates of cost for the conversion of such property into emergency housing and shall proceed with such conversion. Any other provisions of law to the contrary notwithstanding, the administrator shall have the power, subject to regulations approved by the Economic Council of the Department of Economic Development:

C. 55:14G-11.
Administrator's
powers:

(1) To retain and employ private engineers, architects, consultants, or firms practicing such professions, on a fixed fee, lump sum or negotiated contract basis for the purpose of preparing designs, plans, specifications and estimates of structures of any type and grade, rendering assistance and advice in connection with any work herein provided for and performing such other and necessary services as the administrator may deem desirable in the prosecution of such work;

Employ
engineers,
architects, etc.;

(2) To contract with any municipality or any individual, firm or corporation for the performance of all or any part of such work of construction, reconstruction, alteration, repair or improvement, razing, salvage or transportation by individuals, firms and corporations capable of performing such work, such contracts to be awarded, any other provisions of law to the contrary notwithstanding, pursuant to such procedure as the administrator

Contract for
construction,
repair, etc.;

may deem to be for the best interests of the public and, in his discretion, for a lump sum, fixed fee or on a negotiated contract basis;

Contracts for
services;

(3) To contract with the person, firm or corporation supplying them or with others, for the installation of services and facilities, including water, sewerage, gas and electricity;

Contracts with
municipalities;

(4) To contract with a municipality to have its forces and equipment perform such work and to have its officers or agencies purchase material upon such terms as may be advantageous to the public;

Contracts for
conversion by
municipalities;

(5) To contract with any municipality for the transfer to and conversion by such municipality of any property so acquired, upon such terms as shall be for the best interests of the public and as will expedite the accomplishment of the purposes of this act;

Purchase
furnishings;

(6) To purchase and provide, if desirable, furniture, furnishings and equipment and to make arrangements for or otherwise provide any services, utilities and facilities of any nature or description, not competitive with any public utility as defined in section 48:2-13 of the Revised Statutes, incidental to or independent of the construction or operation of such housing when required for the health, welfare or safety of the occupants or proposed occupants of such housing;

Uses of State
facilities;

(7) To hire and use forces and equipment of any or all State departments, agencies or authorities, and to purchase and to use all the materials, whether obtained directly or indirectly from or through private sources of supply or from any federal or public body or agency by contract or other practicable method. And in the event the administrator deems the means, methods or facilities of delivery or transportation of such material to be inadequate for the purpose of such delivery or transportation, he is authorized to conduct, arrange or supplement such delivery or transportation by such means, methods or facilities as he may deem desirable; and

(8) To carry on the work of conversion by a combination of any of the methods outlined above.

To carry on the work of conversion.

12. Whenever any emergency housing project, as provided by this act, is available for occupancy in whole or in part, the administrator shall, subject to regulations approved by the Economic Council of the Department of Economic Development, have the power for a period not exceeding five years from the date such property is available for occupancy:

C. 55:14G-12.
Administrators powers limited to five years:

a. To commit to any public corporation, municipality or other public agency such property for operation and management as emergency housing at such rentals and with such preferences as to occupancy and upon such terms and conditions as shall be for the best interests of the public;

Operation of property by public agency;

b. To retain managing agents or firms engaged in such business or local housing authorities for the purposes of operating and managing such property at such rentals and with such preferences as to occupancy and upon such terms and conditions as shall be for the best interests of the public;

Retain managing agents;

c. To hire employees to operate and manage such property at such rentals and with such preferences as to occupancy and upon such terms and conditions as shall be for the best interests of the public.

Hire employees to manage property;

d. And notwithstanding the provisions of any general or special law, or the provisions of any municipal ordinance, to transfer, set over, grant and convey such property to any public corporation, municipality or other public agency or private person, firm or corporation including the person, persons, firm or corporation from whom or which such property was acquired, by public or private sale or by lease, at such rentals and with such preferences as to occupancy and upon such terms and conditions as shall be for the best interests of the public.

Transfer property.

13. Notwithstanding the provisions of this or any other general or special law, or the provisions of any municipal zoning or other ordinance, no municipality or agency thereof shall have power to

C. 55:14G-13.
Municipality not to change plans, etc.

modify or change plans or specifications for the construction, reconstruction, alteration, repair, improvement, razing and salvaging of such property, or the construction, plumbing, heating, lighting or other mechanical branch of work necessary to complete the work in question, nor to require that any person, firm or corporation employed on any such work shall perform said work in any other or different manner than that provided by the administrator, or obtain any other or additional authority or permit from such municipality, department or person as a condition of doing such work; nor shall any condition whatever be imposed by any such municipality in relation to the work under the supervision of the administrator, but such work shall be under the sole control of the administrator in accordance with the directions, drawings, plans, specifications and contracts in relation thereto; and the doing of any such work for the Authority by any person, firm or corporation in accordance with the terms of such direction, contract, plans or specifications shall not subject said person, firm or corporation to any liability or penalty, civil or criminal, other than as may be stated in such contract and specifications or incidental to the proper enforcement thereof; and no municipality shall impose any conditions or require any permit or other authority for the construction, alteration, improvement, operation, management, use or occupancy of such property for the purposes of this act.

To conform
to municipal
ordinances.

In no event shall any provision of any law or of any municipal zoning or other ordinance, or of any municipal requirement as to permit or other authorization be disregarded, as permitted by this section, as to any emergency housing unit or project, for a period in excess of five years from the date such unit or project is available for occupancy. At the expiration of such five-year period all such emergency housing units or projects shall in all respects conform to all of the provisions of law and of all municipal zoning or other ordi-

nances, or municipal requirement as to permit or other authorization.

14. Title to all materials and equipment incorporated in such work of conversion of property into emergency shelter or purchased for use in such work shall vest in the State as payment is made therefor by the Authority or by the contractor employed by the Authority or upon delivery thereof to the Authority or such contractor, whichever of said events shall first occur.

C. 55:14G-14.
Title to vest
in State.

15. Notwithstanding the provisions of any other general or special law, or the provisions of any municipal ordinance, property acquired by the administrator pursuant to this act shall be taxable except that so much of the value of any real property and any personal property or improvements installed therein or used in connection with such real property, as represents an increase over the assessed valuation of the real property at the time such property was so acquired shall be exempt from taxation, for a period of five years from the date of the acquisition of such property.

C. 55:14G-15.
Taxation.

16. Notwithstanding the provisions of any general or special law, or the provisions of any municipal ordinance, title to all additions, improvements, fixtures, appliances and equipment placed in or attached to or made part of any real property acquired by the administrator pursuant to this act, shall be in the name of the State, and when such real property is no longer required for emergency housing, the Authority may remove such additions, improvements, fixtures, appliances and equipment, provided such removal shall not permanently injure or dismantle said building, and provided further that such real property is restored to the condition in which it was found at the time of its acquisition by the administrator.

C. 55:14G-16.
Title to im-
provements to
vest in State.

17. Any municipality or local housing authority is hereby empowered to contract with the administrator, and to accept from the administrator any property that has been converted pursuant to this act, and to operate and manage the same as

C. 55:14G-17.
Operation by
municipal
or local
authorities.

emergency housing, as hereinbefore provided. Such municipality is hereby authorized and empowered to raise and expend money for the purposes hereinbefore specified, by the issuance of its emergency notes; and in the exercise of such power such municipality may act by resolution, any other provisions of law to the contrary notwithstanding.

Debt limitation
not to operate.

The provisions of section 40:1-15 of the Revised Statutes or of any other law prescribing a limitation as to debt which may be created by a municipality shall not be applicable to any debt which may be created by such municipality under the provisions of this act; and any municipality is hereby authorized to create such debt and to issue its notes or bonds in the manner prescribed by law for any of the purposes hereinbefore specified.

The provisions of section 40:1-12 of the Revised Statutes shall not apply to any notes or bonds so issued.

C. 55:14G-18.
Provisions
not to apply.

18. In the exercise by any municipality of any of the powers conferred upon it by this act, toward the fulfillment of the purposes of this act, the provisions of chapters two and fifty of Title 40 of the Revised Statutes shall not apply to such municipality.

C. 55:14G-19.
Permit re-
quired for other
construction.

19. From and after the effective date of this act, no work shall be started for the construction, erection or reconstruction of any building in this State unless a permit therefor shall have been granted by the governing body of the municipality wherein such work is to be done, or by a municipal official designated by such governing body as the proper person to issue such permit.

Federal
authorization
required.

Notwithstanding the provisions of any other law or the provisions of any municipal ordinance to the contrary, no such permit shall be issued by the governing body of any municipality, or by any such municipal official designated by such governing body, unless the applicant therefor shall have been issued or granted, from the Federal Housing Administration or the Federal Civilian Production Administration, as the case may be, the required

appropriate authorization, if any, for such construction, erection or reconstruction.

For the duration of this act, no building or structure to be used in whole or in part for, or in connection with, the maintenance or operation of any amusement enterprise shall be constructed, erected or reconstructed unless (1) a permit shall have been granted therefor by the municipal governing body or official, as hereinabove provided, and (2) the required appropriate authorization therefor, if any, shall have been issued or granted from the Federal Civilian Production Administration, as hereinabove provided, and (3) a certificate for such construction, erection or reconstruction shall have been issued or granted by the Authority in accordance with regulations approved by the Economic Council of the Department of Economic Development.

Requirements
for construct-
ing places of
amusements.

20. Any person who shall undertake to construct, erect or reconstruct any building in willful violation of any of the provisions of section nineteen of this act shall be guilty of a misdemeanor.

C. 55:14G-20.
Violation a
misdemeanor.

All State, county and local enforcement authorities shall aid in the apprehension of such persons.

Enforcement.

21. For all of the purposes of this act, no person shall because of race, creed, color, national origin or ancestry be subject to any discrimination.

C. 55:14G-21.
Discrimination.

22. The State Treasurer is hereby authorized to receive from the Federal Government amounts of money if, as and when appropriated, allocated, granted, turned over or in anywise provided by the Federal Government to the State for use and expenditure by the State for the purpose of providing emergency housing, and said money may be used by the Administrator for the purposes of this act in the same manner as moneys hereinafter appropriated.

C. 55:14G-22.
Federal aid.

23. The sum of six million dollars (\$6,000,000.00) is hereby appropriated out of the Post-War Reserve Account in the General State Fund established by "An act to create a post-war reserve account in the General State Fund" (P. L. 1944, c. 218), together with moneys derived from the sale

C. 55:14G-23.
Appropriation.

of bonds pursuant to a bill now pending in the Legislature creating a debt of the State in the sum of thirty-five million dollars (\$35,000,000.00) to provide housing for veterans of World War II and other people of the State, if the same becomes a law by sanction of the people, to establish and provide an emergency housing fund. The moneys in such fund shall be available for the payment of the cost of acquisition of real and personal property; any rents under lease; construction, reconstruction, alteration, repair or improvement, razing, salvage or transportation; maintenance, operations and management; equipment, furniture and furnishings, vehicles; services and expenses; all costs in connection with and for work appurtenant thereto, including incidental expenses in accomplishing the purposes of this act, and to defray the administrative expenses of the Authority required by the provisions of this act. No money shall be paid out of such fund except on warrant of the State Commissioner of Taxation and Finance on vouchers certified or approved by the administrator.

C. 55:14G-24.
Clauses, etc.,
severable.

24. If any clause, sentence, subdivision, paragraph, section or part of this act be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, subdivision, paragraph, section or part thereof directly involved in the controversy in which said judgment shall have been rendered.

C. 55:14G-25.
Construed
liberally.

25. The powers enumerated in this act shall be interpreted broadly to effectuate the purposes thereof and shall not be construed as a limitation of powers.

C. 55:14G-26.
Act operative.

26. This act shall take effect immediately and, except as provided in sections twelve, thirteen, fifteen, sixteen and twenty-one, shall continue in full force and effect only until July first, one thousand nine hundred and forty-eight, unless extended by act of the Legislature.

Approved October 1, 1946.

CHAPTER 324

AN ACT authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of thirty-five million dollars (\$35,000,000.00) to provide housing for veterans of World War II and other people of the State; providing the ways and means to pay the interest of said debt, and also to pay and discharge the principal thereof, and providing for the submission of this act to the people at a general election.

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

1. The Legislature hereby finds and determines as a fact: (a) that there exists in this State an acute shortage of housing and on account of such shortage, the people of this State, particularly many veterans of World War II, are unable to obtain housing for themselves and their families, and this shortage is likely to continue for a substantial period of time; (b) that this shortage is such as to constitute an emergency requiring intervention by the State in the interest of public health, safety and morals, to provide emergency housing, and to acquire and recondition existing habitations, integrating wherever possible sound programs of slum clearance.

Facts
determined.

2. Bonds of the State of New Jersey in the sum of thirty-five million dollars (\$35,000,000.00) are hereby authorized for the housing of veterans of World War II and other people of the State. Said bonds shall be serial bonds and known as "Housing Bonds" and, as to each series, the last installment thereof (subject to redemption prior to maturity) shall mature and be paid not later than twenty years from the date of issuance of such series, but may be issued in whole or in part for a shorter term.

Bond issue
authorized.

Issued as
required.

3. Said bonds shall be issued from time to time as money is required for the purpose aforesaid, as the issuing officials herein named shall determine.

Duties of issu-
ing officials.

4. The Governor, State Treasurer and Comptroller of the Treasury or any two of such officials (hereinafter referred to as "the issuing officials"), are hereby authorized to carry out the provisions of this act relating to the issuance of said bonds, and shall determine all matters in connection therewith subject to provisions hereof. In case any of said officials shall be absent from the State or incapable of acting for any reason, his powers and duties shall be exercised and performed by such person as shall be authorized by law to act in his place as a State official.

State
obligation.

5. Bonds issued in accordance with the provisions of this act shall be a direct obligation of the State of New Jersey and the faith and credit of the State is pledged for the payment of the interest thereon as same shall become due and the payment of the principal at maturity. The principal and interest of such bonds shall be exempt from taxation by the State or by any county, municipality or other taxing district of the State.

Tax exempt.

Signatures
on bonds
and coupons.

6. Said bonds shall be signed in the name of the State by the Governor or by his facsimile signature, under the great seal of the State, and attested by the Secretary of State, or an assistant Secretary of State, and shall be countersigned by the facsimile signature of the Comptroller of the Treasury. Interest coupons attached to said bonds shall be signed by the facsimile signature of the Comptroller of the Treasury. Such bonds may be issued notwithstanding that any of the officials signing them or whose facsimile signatures appear on the bonds or coupons shall cease to hold office at the time of such issue or at the time of the delivery of such bonds to the purchaser.

Issuing
details.

7. (a) Such bonds shall recite that they are issued for the purpose set forth in section two of this act and that they are issued in pursuance of this act and that this act was submitted to the peo-

ple of the State at the general election held in the month of November, one thousand nine hundred and forty-six, and that it received the sanction of the majority of the votes cast for and against it at such election. Such recital in said bonds shall be conclusive evidence of the authority of the State to issue said bonds and of their validity. Any bonds containing such recital shall in any suit, action or proceeding involving their validity be conclusively deemed to be fully authorized by this act and to have been issued, sold, executed and delivered in conformity herewith and with all other provisions of statutes applicable thereto, and shall be incontestable for any cause.

(b) Such bonds shall be issued in such denominations and in such form or forms, whether coupon or registered as to both principal and interest, as may be determined by the issuing officials. Denominations.

(c) Whenever such bonds shall have been issued as coupon bonds, whether so issued originally or at the request of a holder thereof subsequent to the original issue, such bonds, or any of them, may be reissued by the issuing officials at the request of a holder as registered bonds, and all registered bonds, whether so issued originally or at the request of the holder subsequent to the original issue, may be reissued by the issuing officials, at the request of a holder, as coupon bonds. Exchange for registered bonds.

8. When bonds are issued from time to time, the bonds of each issue shall constitute a separate series to be designated by the issuing officials. Each series of bonds shall bear such rate of interest, not exceeding three per centum (3%) per annum, as may be determined by the issuing officials, which interest shall be payable semiannually; *provided*, that the first and last interest periods may be longer or shorter, in order that intervening semiannual payments may be at convenient dates. Separate series.
Rate.
Proviso.

9. Said bonds shall be issued and sold at not less than par and accrued interest, under such terms, conditions, and regulations as the issuing officials may prescribe, after notice of said sale, published Sale.

at least three times (the first notice shall be at least seven days prior to the day of bidding) in at least three newspapers published in the State of New Jersey, and in a publication carrying municipal bond notices and devoted primarily to financial news, published in the city of New York or in New Jersey. The said notice of sale may contain a provision to the effect that any or all bids made in pursuance thereof may be rejected. In the event of such rejection or of failure to receive any acceptable bid, the issuing officials are authorized to sell said bonds at private sale. The issuing officials may sell all or a part of the bonds of any series as issued to the sinking fund or funds for other bonds issued by the State or to the trustees for the support of public schools, the Teachers' Pension and Annuity Fund, or any other pension fund established for the benefit of State employees, or to the Federal Government or any agency thereof, at private sale, without advertisement.

May issue
temporary
bonds.

10. Until permanent bonds can be prepared, the issuing officials may, in their discretion, issue in lieu of such permanent bonds temporary bonds in such form and with such privileges as to registration and exchange for permanent bonds as may be determined by the issuing officials.

Proceeds
deposited in
State housing
fund.

11. The proceeds from the sale of the bonds, exclusive of accrued interest and premiums, and all interest on deposits received from depositories, shall be paid to the State Treasurer and be held by him in a separate fund, and be deposited in such depositories as may be selected by him to the credit of the fund, which fund shall be known as the "State Housing Fund." All accrued interest and premiums from the sale of bonds except as provided in section fourteen hereof, together with interest received from depositories of such funds, shall be held by the State Treasurer to the credit of the said State Housing Fund.

Fund
dedicated.

12. The moneys in the said State Housing Fund are hereby specifically dedicated to providing housing for veterans of World War II and other people

of the State and shall be disposed of in accordance with this act through such agencies or by such means as the Legislature may by act provide for such purpose. Such fund shall be held for the demand of the Commissioner of Economic Development, or his successor, and shall be drawn upon and disbursed on his order, as other funds are now disbursed from the State treasury. At any time prior to the issuance and sale of bonds under this act the State Treasurer is hereby authorized to transfer from any available money in the treasury of the State to the credit of the State Housing Fund such sum as may be deemed necessary for the purposes of this act by the Commissioner of Economic Development, which said sum so transferred shall be returned to the treasury of this State by the treasurer thereof from the proceeds of the sale of the first issue of bonds.

13. In case any coupon bonds and coupons thereunto appertaining or any registered bond shall become mutilated or destroyed, a new bond shall be executed and delivered of like tenor, in substitution for the mutilated or destroyed bonds or coupons, upon the owner furnishing to the issuing officials evidence satisfactory to them of such mutilation or destruction and also such security and indemnity as the issuing officials may require.

Substitution
when bond or
coupon
mutilated.

14. Any expense incurred by the issuing officials for advertising, engraving, printing, clerical, legal or other services necessary to carry out the duties imposed upon them by the provisions of this act shall be paid from accrued interest and premiums from the sale of bonds or if these funds be insufficient, from the proceeds of the sale of bonds, by the State Treasurer upon warrant of the Comptroller of the Treasury, in the same manner as other obligations of the State are paid.

Payment of
expenses.

15. Bonds of each series issued hereunder shall mature in installments commencing not later than the third year and ending not later than the twentieth year from the date of issue of such series, and in such amounts as shall be determined by the

Maturities.

issuing officials, but the issuing officials may reserve to the State by appropriate provision in the bonds of any series the power of election by resolution or resolutions of the issuing officials to call for redemption at par and accrued interest to date of redemption, and to redeem on any interest payment date beginning in a stated year, as a whole or in part in the inverse order of their numbers, bonds of that series prior to their maturity, upon notice by publication, at least once, at least sixty days prior to the date fixed for redemption, in a newspaper published in the City of Trenton, and in a publication carrying municipal bond notices and devoted primarily to financial news, published in New York City or in New Jersey. On and after the date of redemption so fixed, interest on bonds so called for redemption shall cease to accrue.

Provisions
for payment.

16. To provide funds to meet the interest and principal payment requirements for the bonds issued under this act and outstanding, there is hereby appropriated in the order following:

(a) Revenue derived from the tax collected under and by virtue of the provisions of the alcoholic beverage tax law (Chapters 41 to 47 inclusive, Subtitle 8 of Title 54 of the Revised Statutes, as amended and supplemented).

(b) Not more than fifty per centum (50%) of the revenue derived from pari-mutuel betting at race meetings pursuant to chapter seventeen of the laws of one thousand nine hundred and forty and any acts amendatory thereof and supplemental thereto.

(c) If in any year or at any time funds, as hereinabove appropriated necessary to meet interest and principal payments upon outstanding bonds issued under this act, be insufficient or not available, then and in that case there shall be assessed, levied and collected annually in each of the municipalities of the counties of this State a tax on real and personal property upon which municipal taxes are or shall be assessed, levied and collected, sufficient to meet the interest on all outstanding bonds issued hereunder and on such bonds as it is pro-

posed to issue under this act in the calendar year in which such tax is to be raised and for the payment of bonds falling due in the year following the year for which the tax is levied. The tax thus imposed shall be assessed, levied and collected in the same manner and at the same time as other taxes upon real and personal property are assessed, levied and collected. The governing body of each municipality shall cause to be paid to the county treasurer of the county in which such municipality is located, on or before the fifteenth day of December in each year the amount of tax herein directed to be assessed and levied, and the county treasurer shall pay the amount of said tax to the State Treasurer on or before the twentieth day of December in each year.

If on or before the thirty-first day of December in any year the issuing officials shall determine that there are moneys in the General State Fund, other than moneys derived from motor vehicle fees and motor fuel taxes, beyond the needs of the State, sufficient to meet the principal of bonds falling due and all interest payable in the ensuing calendar year, then and in that event such issuing officials shall by resolution so find and shall file the same in the office of the State Treasurer, whereupon the State Treasurer shall transfer such moneys to a separate fund to be designated by him, and shall pay the principal and interest out of said fund as the same shall become due and payable, and the other sources of payment of said principal and interest provided for in this section shall not then be available, and the receipts for said year from alcoholic beverages and pari-mutuel betting above referred to shall thereupon be considered as part of the General State Fund, available for general purposes.

17. Should the State Treasurer by December thirty-first of any year deem it necessary, because of insufficiency of funds to be collected from the sources of revenues as hereinabove provided to meet the interest and principal payments for the

Tax to be
assessed if
other funds
insufficient.

year after the ensuing year, then the Treasurer shall certify to the Comptroller of the Treasury the amount necessary to be raised by taxation for such purposes, the same to be assessed, levied and collected for and in the ensuing calendar year. In such case the Comptroller of the Treasury shall, on or before the first day of March following, calculate the amount in dollars to be assessed, levied and collected as herein set forth in each county. Such calculation shall be based upon the corrected assessed valuation of such county for the year preceding the year in which such tax is to be assessed, but such tax shall be assessed, levied and collected upon the assessed valuation of the year in which the tax is assessed and levied. The Comptroller of the Treasury shall certify said amount to the county board of taxation and the county treasurer of each county. The said county board of taxation shall include the proper amount in the current tax levy of the several taxing districts of the county in proportion to the ratables as ascertained for the current year.

Referendum.

18. For the purpose of complying with the provisions of the State Constitution this act shall, at the general election to be held in the month of November, one thousand nine hundred and forty-six, be submitted to the people. In order to inform the people of the contents of this act it shall be the duty of the Secretary of State, after this section shall take effect, and at least fifteen days prior to the said election, to cause this act to be published in at least ten newspapers published in the State and shall notify the clerk of each county of this State of the passage of this act, and the said clerks respectively shall cause to be printed on each of said ballots, the following:

Voting.

If you favor the taking effect of the act entitled below, make an X or a + mark in the square opposite the word "Yes."

If you are opposed to the taking effect of the act entitled below, make an X or a + mark in the square opposite the word "No."

	Yes	An Act authorizing the creation of a debt of the State of New Jersey by the issuance of bonds of the State in the sum of thirty-five million dollars (\$35,000,000.00) to provide housing for veterans of World War II and other people of the State; providing the ways and means to pay the interest of said debt, and also to pay and discharge the principal thereof, and providing for the submission of this act to the people at a general election.	Question.
	No		

The fact and date of the approval or passage of this act, as the case may be, shall be inserted in the appropriate place after the title in said ballot. No other requirement of law of any kind or character as to notice or procedure except as herein provided need be adhered to.

The said ballots so cast for and against this act shall be counted and the result thereof returned by the election officer, and a canvass of such election had in the same manner as is now provided for by law in the case of the election of a Governor, and the sanction or rejection of this act so determined shall be declared in the same manner as the result of an election for a Governor, and if there shall be a majority of all the votes cast for and against it

Canvass.

at such an election in favor of the sanction of this act, then all of the provisions of this act shall take effect forthwith.

Sections
effective.

19. This section and section eighteen of this act shall take effect immediately and the remainder of the act shall take effect as and when provided in the preceding section.

Approved October 1, 1946.

CHAPTER 325

AN ACT concerning the issuance of warrants for removal in actions to recover possession of premises used for dwelling purposes.

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

C. 2:58-23.1.
Warrants
of removal.

1. Notwithstanding any other provisions of law, in any action brought by a landlord against a tenant to recover possession of premises used for dwelling purposes, the judge of the court having jurisdiction shall use sound discretion in the issuance of a warrant for removal, and if it shall appear that by the issuance of the warrant the tenant will suffer hardship because of the unavailability of other dwelling accommodations the judge may stay the issuance of the warrant and cause the same to issue at such time as he shall deem proper under the circumstances; *provided, however*, that in no case shall the issuance of the warrant be stayed or the stay thereof be longer continued, as the case may be, if the tenant should (a) fail to pay to the landlord all arrears in rent or the amount that would have been payable as rent if the tenancy had not been interrupted, or both, together with the accrued costs of the action; or (b) during the stay, fail to continue to pay to the landlord the

Proviso.

amount that would be due if the tenancy had not been interrupted; or (c) during the stay, become so disorderly as to destroy the peace and quiet of the other tenants living in the same building or in the neighborhood; or (d) during the stay, willfully destroy, damage or injure the premises.

2. In no event shall any payment made by the tenant to the landlord for continued occupancy of the premises, as provided in section one of this act, be deemed to create a new tenancy.

C. 2:58-23.2.
Payment not
to create a
new tenancy.

3. Each judge may adopt his own procedure for inquiring into and determining whether issuance of a warrant for removal should be stayed or the stay thereof longer continued, as the case may be.

C. 2:58-23.3.
Procedure.

4. This act shall take effect immediately but shall become inoperative on and after July first, one thousand nine hundred and forty-eight.

C. 2:58-23.4.
Act
inoperative.

Approved October 1, 1946.

JOINT RESOLUTIONS

(1375)

Joint Resolutions

JOINT RESOLUTION No. 8

A JOINT RESOLUTION memorializing the Congress of the United States to adopt a national housing policy providing for effective co-operation between Federal, State and local governments to meet the current critical housing emergency, and to adopt immediate measures to facilitate the successful operation of State and local emergency housing programs.

WHEREAS, The Federal Government has heretofore Preamble.
pre-empted the entire field of housing; and

WHEREAS, The Federal emergency housing pro- Preamble.
gram has failed to produce emergency housing, particularly for veterans of World War II, in the quantity, at the time, and in the places needed during the current critical housing shortage; and

WHEREAS, In view of this failure of the Federal Preamble.
program and in view of the crucial nature of the emergency, it has become necessary for State and local governments to come to the rescue and institute their own emergency housing programs; and

WHEREAS, Such State and local programs can at- Preamble.
tain their maximum effectiveness only with the complete co-operation of the Federal Government, avoidance of all unnecessary conflict with Federal agencies, and elimination of all unrealistic Federal regulations; and

- Preamble. WHEREAS, States and their political subdivisions are not given opportunities equal to those given to the Federal Public Housing Authority with respect to priorities for building materials and supplies for emergency housing projects; and
- Preamble. WHEREAS, The Federal programs have failed to alleviate the critical shortage in building materials and supplies or to prevent black markets of all kinds in such materials and supplies; and
- Preamble. WHEREAS, Present Federal regulations and policies have seriously hampered the construction of dwelling accommodations by private enterprise, and a complete review and revision of such regulations and policies are essential; and
- Preamble. WHEREAS, Large numbers of veterans of World War II and other residents of this State are still without even minimum housing accommodations despite the Federal emergency housing program heretofore adopted by the Congress and the National Administration; and
- Preamble. WHEREAS, The State of New Jersey has taken emergency action immediately to provide adequate emergency housing accommodations for its residents, and is apprehensive that it may be seriously hampered in the speedy provision of such needed shelter because of the aforementioned Federal policies and failure; and
- Preamble. WHEREAS, A complete review and revision of Federal policies, with a view to effective co-operation with and facilitation of State and local emergency housing programs is essential to meet the present critical emergency; now, therefore,

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

Congress
memorialized
to adopt a
national hous-
ing policy.

1. The Congress of the United States is respectfully memorialized to adopt a national housing

policy for the current critical housing emergency which will provide effective co-operation between Federal, State and local governments in this field, and eliminate all unrealistic regulations.

2. The Congress of the United States is further memorialized to adopt all possible measures to facilitate the successful operation of State and local emergency housing programs, including the granting of opportunities to State and local governments equal to those given to the Federal Public Housing Authority with respect to priorities for building materials and supplies.

To facilitate
local housing
programs.

3. The Congress of the United States is further memorialized to take thorough and immediate action for the complete nation-wide eradication of black markets of all kinds in building materials and supplies, to the end that all emergency housing programs may operate with maximum effectiveness.

Eradicate
black markets.

4. The Congress of the United States is further memorialized to take immediate action for the complete review and revision of Federal policies and regulations which have hampered the construction of dwelling accommodations by private enterprise, to the end that private enterprise may be enabled to construct housing as speedily as possible.

Revise Federal
policies.

5. The Secretary of State is directed to transmit copies of this joint resolution, properly authenticated, to the Secretary of the Senate of the United States, to the Clerk of the House of Representatives, and to the Senators and Representatives of the State of New Jersey in the Congress of the United States.

Secretary of
State to
transmit
copies.

6. This joint resolution shall take effect immediately.

Approved October 1, 1946.

JOINT RESOLUTION No. 9

A JOINT RESOLUTION memorializing the President of the United States to call a conference of the Governors of the several States and the officers charged with administering the Federal housing programs, for the purpose of eliminating unrealistic Federal regulations, alleviating the critical shortage in building materials and supplies and preventing black markets in such materials and supplies, and co-ordinating the emergency housing activities of all levels of government toward the single goal of speedily providing needed dwelling accommodations.

Preamble.

WHEREAS, It appears that the Federal Government is unable, under the programs heretofore adopted by it, to provide adequate relief in the current housing emergency, particularly for veterans of World War II, as is more fully set forth in a joint resolution entitled "A joint resolution memorializing the Congress of the United States to adopt a national housing policy providing for effective co-operation between Federal, State and local governments to meet the current critical housing emergency, and to adopt immediate measures to facilitate the successful operation of State and local emergency housing programs," adopted by the Senate and House of Assembly of the State of New Jersey on this date; and

Preamble.

WHEREAS, State and local government programs to accomplish immediate emergency housing require the full co-operation of the Federal Government and freedom from unworkable Federal regulations in order to function efficiently and successfully; and

WHEREAS, State and local emergency housing programs under present conditions must inevitably be hampered by inability to secure adequate building materials and supplies because of the critical shortage of such materials and supplies, the failure of the Federal Government to afford to such programs opportunities equal to those given to the Federal Public Housing Authority with respect to priorities for such materials and supplies, and the failure of the Federal Government to prevent black markets in such materials and supplies; and

Preamble.

WHEREAS, Construction of dwelling accommodations by private enterprise has been seriously impeded through unrealistic Federal regulations; and

Preamble.

WHEREAS, It is imperative that the nation now mobilize and co-ordinate all its resources; and, through every level of government, Federal, State and local, speedily provide for adequate emergency housing, without regard to political considerations; now, therefore,

Preamble.

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

1. The President of the United States is respectfully memorialized and urged to call an immediate conference of the Governors of the several States and the officers charged with administering the Federal housing programs, for the purpose of co-ordinating the efforts of all levels of government toward speedy accomplishment of emergency housing, eliminating such Federal regulations as have proved to be unworkable and unrealistic, reviewing and revising completely Federal policies and regulations which impede the construction of dwelling accommodations by private enterprise, alleviating the critical shortage in building materials and supplies, eradicating black markets in such materials

The President
memorialized
to call
conference of
Governors.

and supplies, and eliminating conflict, overlapping, and duplication, wherever they exist in the housing field.

Special session
of Congress.

2. That if, as a result of such conference, it shall appear necessary or desirable to revise, amend, or repeal legislation that is detrimental to the immediate accomplishment of emergency housing, the President convene a special session of the Congress to take whatever legislative action may be most appropriate.

Secretary of
State to notify.

3. The Secretary of State is directed to transmit copies of this joint resolution, properly authenticated, to the President of the United States and to the Senators and Representatives of the State of New Jersey in the Congress of the United States.

4. This joint resolution shall take effect immediately.

Approved October 1, 1946.

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LAWS
1947

ACTS
OF THE
One Hundred and Seventy-first Legislature
OF THE
STATE OF NEW JERSEY
AND
One Hundred and Third Under the New Constitution



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1947

The following laws, passed by the One Hundred and Seventy-first Legislature, proclamations by the Governor and an index of the laws are published in accordance with Title 1, chapter three, section one et seq. of the Revised Statutes.

LLOYD B. MARSH,
Secretary of State.

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LAWS

ACTS

PASSED BY THE

One Hundred and Seventy-first Legislature

CHAPTER 1

AN ACT making an appropriation to the Board of Public Utility Commissioners to defray expenses to be incurred in connection with any investigation, survey, inquiry or hearing on certain schedules filed with said board by New Jersey Bell Telephone Company.

WHEREAS, New Jersey Bell Telephone Company, a public utility of this State, has filed with the Board of Public Utility Commissioners schedules increasing basic exchange telephone rates, intrastate message toll telephone rates, charges for equipment, miscellaneous charges, and changing or altering some of the existing classifications in the State of New Jersey; and Preamble.

WHEREAS, It appears that said schedules would increase the cost of telephone service to the people of this State by approximately eleven million dollars (\$11,000,000.00) annually; and Preamble.

WHEREAS, Because of the common use of telephone service provided by said public utility and the great dependence of the people of this State thereon, said schedules are of State-wide public interest; and Preamble.

Preamble. WHEREAS, It is imperative that the Board of Public Utility Commissioners have the benefit of adequate technical assistance, to appraise valuations and secure all information relating to the establishment of fair and equitable rates and that the public interest be adequately represented legally in this matter; and

Preamble. WHEREAS, When appropriations were made for the current fiscal year this matter was not anticipated, and the moneys heretofore appropriated are insufficient for the purpose; therefore,

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

Appropriation. 1. There is hereby appropriated to the Board of Public Utility Commissioners the sum of seventy-five thousand dollars (\$75,000.00) for the purpose of defraying any and all expenses to be incurred in connection with any investigation, survey, inquiry or hearing leading to a determination by said board as to the justness and reasonableness of certain schedules filed with said board by New Jersey Bell Telephone Company, increasing basic exchange telephone rates, intrastate message toll telephone rates, charges for equipment, miscellaneous charges, and changing or altering some of the existing classifications in the State of New Jersey.

Use of appropriation. 2. The sum appropriated by section one of this act to the Board of Public Utility Commissioners may be used for the payment of salaries or other compensation to such engineers, surveyors, accountants, auditors, appraisers or other technical aids (other than legal) as the board may deem necessary specially to employ, retain or appoint, and also for the payment of fees to such attorneys or other legal assistants as the Attorney-General may deem necessary specially to engage, in order effectually to carry on any investigation, survey, appraisal, inquiry or hearing for which said appropriation is made. All such employments, re-

tainers and appointments by the board or by the Attorney-General shall be subject to the approval of the Governor.

3. Notwithstanding any other provisions of law, any technical aids that may be employed, retained or appointed by the board, or any attorneys or other legal assistants that may be engaged by the Attorney-General, may be so employed, retained, appointed or engaged upon such terms and in such manner as the board or the Attorney-General, as the case may be, shall see fit, but subject to the approval of the Governor as to the amount of salary or other compensation to be paid each person so employed, retained, appointed or engaged; and salaries or other compensation of technical aids employed, retained or appointed by the board, and fees of attorneys or other legal assistants engaged by the Attorney-General, as well as other expenses incurred by either, shall be certified by the board or the Attorney-General and when approved by the Governor shall be paid by the State Treasurer on warrant of the Commissioner of Taxation and Finance.

Appointment
of aids.

4. Any person employed, retained, appointed or engaged pursuant to the provisions of this act in any manner other than by contract, shall serve at the pleasure of the board or the Attorney-General, as the case may be. In the event any contract is made by the board or the Attorney-General with any person pursuant to the provisions of this act, the board shall make requisition on the Commissioner of Taxation and Finance for the reservation of such sum as may be required to make payment for the services and doing the work agreed upon in the contract; and the Commissioner of Taxation and Finance shall reserve, for the purpose of making such payments, from the money appropriated to the board by this act, the sum called for in the requisition.

Terms of
employment.

5. The sum appropriated by this act to the Board of Public Utility Commissioners shall be in addition

Source of
appropriation.

tion to all sums heretofore or otherwise appropriated to said board, and, if necessary, shall be made out of the Post-War Reserve Account in the General State Fund.

6. This act shall take effect immediately.

Approved January 20, 1947.

WALTER E. EDGE,
Governor.

CHAPTER 2

AN ACT concerning school board elections, and amending section 18:7-35 of the Revised Statutes.

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

Section
amended.

1. Section 18:7-35 of the Revised Statutes is amended to read as follows:

Opening of
election.

18:7-35. The board shall make public proclamation through a board member or other person qualified to vote in the school district designated by the president of said board of the opening of the meeting. A chairman who shall also be judge of elections, a secretary, and two tellers shall be appointed, and assistant tellers not to exceed in number one for every two signature copy registers used in the polling district may be appointed, by the board of education at the regular January meeting of the board from the qualified voters of the district other than regularly nominated candidates, board members, or employees. In case of any vacancy in such offices at the time of the opening of the meeting, the person authorized to open the meeting shall appoint from among those present to fill the vacancy. In any district having a population of twenty-five hundred or more as determined by the last published census, the board of education

Officers.

Vacancies.

Compensation.

may pay each such election officer a compensation not to exceed five dollars (\$5.00) and in any district having a population of fifteen thousand or more as so determined, the board of education may pay each such election officer a compensation not to exceed ten dollars (\$10.00). At the conclusion of the organization, the election shall be open and the balloting shall continue without recess in accordance with the instructions printed upon the ballot and the provisions of this article until the hour of closing has arrived.

Each candidate nominated by petition may act as a challenger and may appoint also one challenger for each polling district in which he is to be voted for. The appointment of challengers shall be in writing under the hand of the person making the same and shall specify the names and addresses of the challengers and the polling district for which they are severally appointed. The appointment of the challengers shall be filed with the district clerk not later than five days preceding the annual election. No person shall be appointed challenger who is not a legal voter of the school district and no challenger shall serve in any polling district other than that to which he is appointed. The district clerk shall certify such appointed challengers, and such certification shall be submitted by the challengers to the election officials of the respective polling districts to which they are assigned. The challengers shall have power to challenge the right to vote therein of any person claiming such right and shall have the right to ask all necessary questions to determine this right. They may be present while the votes cast at any election are being counted, may stand where they can see the markings on the ballots provided they do not interfere with the orderly counting of the votes, and shall have the right to challenge the counting or rejecting of any ballot or any part of a ballot. The election officers are authorized to maintain order in the polling place and to require to leave the polling room all persons other than challengers, Challenger.

Interference a
misdemeanor.

candidates, and persons in the process of voting, and to prohibit electioneering in the building in which the election is being conducted. Any person interfering with the orderly conduct of the election shall be guilty of a misdemeanor and shall be punishable by a fine not exceeding five hundred dollars (\$500.00), or by imprisonment not exceeding one year, or both.

2. This act shall take effect immediately.

Approved February 3, 1947.

ALFRED E. DRISCOLL,
Governor.

CHAPTER 3

AN ACT concerning county and municipal finances.

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

Director to
receive and
examine
budgets.

1. The director of the division of local government in the State Department of Taxation and Finance 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-seven 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 said director and the county or municipality with respect to certification, public hearing and adoption are to be taken forthwith and as if the introduction, approval or filing was within the date prescribed by statute.

Proviso.

2. This act shall take effect immediately.

Approved February 11, 1947.

CHAPTER 4

AN ACT concerning county and municipal budgets.

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

1. The several counties and municipalities of this State hereby are authorized to insert in their respective budgets for the calendar year one thousand nine hundred and forty-seven:

Authorized to include special item of anticipated revenue in budget.

(a) A special item of revenue to be anticipated from the allotment to the respective counties and municipalities, as certified by the State Highway Commissioner, of additional appropriations from the State treasury to the State Highway Department for State aid for roads for counties and municipalities for expenditure in the calendar year one thousand nine hundred and forty-seven, in addition to all other sums appropriated for said purposes, in the following amounts:

(1) One million dollars (\$1,000,000.00) for the construction, reconstruction, maintenance and repair, operation, policing and lighting of county roads and bridges; for the payment of principal and interest of obligations heretofore incurred for any such purposes and for the extension of the county highway system to be apportioned among the counties under the following formula:

Percentage of population of each county to the total population of the State according to the last Federal census;

Percentage of each county's road mileage as against the total county road mileage in the State;

(2) One million fifty thousand dollars (\$1,050,000.00) to be expended pursuant to the provisions of chapter fifteen of Title 27, Highways, of the Revised Statutes as if chapter one

New Jersey State Library

hundred ninety-six of the laws of one thousand nine hundred and forty-six were now effective;

(3) Four hundred twenty thousand dollars (\$420,000.00) to be expended pursuant to the provisions of section 27:14-1 of the Revised Statutes; and

(b) An appropriation of a like sum for said purposes; and the Director of the Division of Local Government in the State Department of Taxation and Finance hereby is authorized to approve the insertion thereof in the said budgets.

Apportionment
and
distribution.

2. The State Highway Commissioner shall apportion said sums and shall certify his apportionment to the respective counties and municipalities immediately after the effective date of this act and shall distribute the same, in the same manner as the sums previously appropriated for said purposes for expenditure during the calendar year one thousand nine hundred and forty-seven were appropriated and distributed except as otherwise provided in this act, when the same shall become available.

Use of
anticipated
sums.

3. The said counties and municipalities hereby are authorized to anticipate the distribution of said sums and to use the same when distributed in reimbursement for sums already expended where so required.

4. This act shall take effect immediately.

Approved February 13, 1947.

CHAPTER 5

AN ACT relating to legal assistance to the Governor; authorizing and empowering the Governor to appoint a counsel to the Governor, one or more associate counsels to the Governor, and such legal assistants as the Governor may deem necessary; prescribing certain of the powers, functions and duties of persons thus appointed; providing for their compensation, and supplementing chapter fifteen of Title 52 of the Revised Statutes.

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

1. Notwithstanding the provisions of any other law to the contrary: C. 52:15-8.

A. The Governor may appoint and commission a person to be known as counsel to the Governor and one or more persons to be known as associate counsels to the Governor. The Governor may also appoint such legal assistants as he may deem necessary. Counsel to the Governor.

Each of the persons thus appointed shall serve at the pleasure of the Governor and shall receive such compensation as shall be fixed by the Governor within the limits of available appropriations therefor. Term and compensation.

B. The counsel to the Governor shall: Duties.

(1) Give to the Governor legal advice on such matters as the Governor may from time to time require.

(2) Advise the Governor in regard to the constitutionality, consistency and legal effect of bills presented to the Governor for his approval.

(3) Examine and decide all legal matters submitted to him by the Governor.

(4) When directed by the Governor, act for him or any officer, agency or instrumentality in or of the Executive Branch of the State Government, in any matter in which the Governor may be interested.

(5) When so authorized by the Governor, assist the Governor in any examination or investigation undertaken or directed by the Governor pursuant to authority vested in him by law.

(6) When directed by the Governor, act for him in any matter in which he may be interested.

(7) Act as the sole legal adviser, attorney or counsel for the Governor and represent him in all suits, proceedings or actions of any kind which may be brought for or against him in any court of this State; interpret all statutes and legal documents for the Governor; and inspect and approve contracts and titles with which the Governor is concerned.

(8) Attend generally to all legal matters in which the Governor is a party or in which his rights or interests are involved.

(9) Perform such other duties as the Governor may from time to time prescribe.

C. Each associate counsel to the Governor shall:

(1) Assist the counsel to the Governor in the exercise of his powers and the performance of his functions and duties under this act.

(2) Perform such other duties as the Governor shall prescribe.

Legal
assistants.

D. Legal assistants appointed by the Governor pursuant to the provisions of this act shall perform such duties as the Governor shall prescribe.

E. All acts and parts of acts inconsistent with any of the provisions of this act are, to the extent of such inconsistency, hereby repealed. Repealer.

2. This act shall take effect immediately.

Approved February 13, 1947.

CHAPTER 6

AN ACT concerning election contests, and amending section 19:29-2 of the Revised Statutes.

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

1. Section 19:29-2 of the Revised Statutes is amended to read as follows: Section amended.

19:29-2. In the case of an office or proposition voted for by the voters of the entire State or more than one county thereof, the contest shall be heard and determined by the Chief Justice or a justice of the Supreme Court assigned for that purpose by the Chief Justice, and shall be commenced by the filing of a petition therefor with the clerk of the Supreme Court signed by at least twenty-five voters of the State or by any defeated candidate for such nomination, party position or public office. Petitions to courts for redress.

In all other cases the contest shall be heard and determined by the several circuit courts of this State, and shall be commenced by the filing of a petition therefor with the clerk of the circuit court held in the county wherein such office or proposition is to be contested, signed by at least fifteen voters of the county or by any defeated candidate for such nomination, party position or public office.

The petition shall be verified by the oath of at least two of the petitioners, or by the candidate filing the same, as the case may be, which verification may be made on information and belief. The Verification.

Bond exacted. petition shall be accompanied by a bond to the incumbent, with two or more sureties, or a deposit of cash security, to be approved by the justice holding such circuit, in the penal sum of five hundred dollars (\$500.00), conditioned to pay all costs in case the election be confirmed, or the petition be dismissed or the prosecution fail. When the reception of illegal or the rejection of legal voters is alleged as a cause of contest, the names of the persons who so voted, or whose votes were rejected, with the election district where they voted, or offered to vote, shall be set forth in the petition, if known.

Petition
not to be
dismissed.

No petition heretofore filed pursuant to this section shall be dismissed or the prosecution fail because the petitioner shall not have filed a bond with sureties as required herein, and the court shall be construed to have acquired jurisdiction to hear and determine such contest if the petitioner shall have filed with the petition a bond, without sureties, in the penal sum of five hundred dollars (\$500.00), conditioned as required in this section, with a deposit of five hundred dollars (\$500.00) as cash security therefor, approved by the justice of the Supreme Court holding the circuit in the county.

2. This act shall take effect immediately.

Approved February 13, 1947.

CHAPTER 7

AN ACT making an appropriation for the decoration of the Thomas A. Edison bridge.

WHEREAS, February eleventh, one thousand nine hundred and forty-seven, marks the one hundredth anniversary of the birth of Thomas A. Edison, the great inventor, and benefactor of humanity; and Preamble.

WHEREAS, Appropriate ceremonies are being held throughout the world in his honor and especially in New Jersey where he carried on most of his experiments and developed most of his inventions; and Preamble.

WHEREAS, The high level bridge across the Raritan river at Perth Amboy, designed and constructed by the State Highway Department, was fittingly dedicated in memory of Thomas A. Edison on December fourteenth, one thousand nine hundred and forty; and Preamble.

WHEREAS, It is proper that this bridge should be appropriately decorated on the centennial of his birth; therefore, Preamble.

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

1. The New Jersey State Highway Department is hereby authorized to expend from hitherto unused funds a sum not exceeding two hundred dollars (\$200.00) for the centennial decoration of the said Edison memorial bridge. Appropriation.

2. This act shall take effect immediately.

Approved February 13, 1947.

CHAPTER 8

AN ACT to provide for a State constitutional convention so instructed by the legal voters that it shall have no power to propose any change in the present basis of representation in the Legislature, providing for the nomination and election of delegates, at a special election, and for the submission of the proposals of the convention to the people for adoption or rejection, and making an appropriation therefor.

Preamble. WHEREAS, All political power is inherent in the people, and government is instituted for their protection, security and benefit; and

Preamble. WHEREAS, The people of the State have the right at all times to alter or reform the Constitution whenever the public good may require it; and

Preamble. WHEREAS, The present Constitution of one thousand eight hundred and forty-four, adopted at an election in which the total number of votes cast for and against it was only twenty-three thousand eight hundred seventy-one, should be systematically reconsidered and conformed to the needs of a modern industrial and agricultural State with over two million registered voters among a population of over four million people; and

Preamble. WHEREAS, It is the duty of the Legislature from time to time to enact legislation, as was enacted in the year one thousand eight hundred and forty-four, enabling the people through their delegates in a constituent assembly to exercise their inherent right to alter or reform the Constitution; and

WHEREAS, The people in the exercise of their sovereign power may commit their delegates to binding restrictions on the scope and subject matter of such a constituent assembly; now therefore,

Preamble.

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

1. A constitutional convention, comprised of delegates elected in the several counties shall, subject to a popular referendum as hereinafter provided, convene at New Brunswick, New Jersey, or at such other place as the Governor may designate by proclamation, on the twelfth day of June, one thousand nine hundred and forty-seven, at eleven o'clock ante meridian, or as soon thereafter as a quorum shall be present.

Constitutional convention.

2. The constitutional convention shall prepare and agree upon a new State Constitution, revising, altering or reforming the present Constitution in such part or parts and in such manner as the convention shall deem in the public interest; *provided, however,* that the convention shall in no event agree upon, propose or submit to vote of the people, either separately or included among other provisions, any provision for change in the present territorial limits of the respective counties, or any provision for legislative representation other than provision for a Senate composed of one Senator from each county and a General Assembly composed of not more than sixty members apportioned among the counties according to population so that each county shall at all times be entitled to at least one member, chosen for, and elected by the legal voters of, the respective counties.

New constitution.

Proviso.

3. The constitutional convention shall complete and agree upon its proposals on or before the twelfth day of September, one thousand nine hundred and forty-seven, and shall provide for submission thereof at the general election to be held on November fourth, one thousand nine hundred

Limits time for completion of proposals.

and forty-seven, for approval or for rejection by the legal voters, either as a whole or in such parts and with such alternatives as the convention may deem desirable.

Delegates.

4. Each county shall be entitled to the same number of delegates to the constitutional convention, to be elected by the legally qualified voters of the county, as the county is presently entitled to representatives in a joint session of the Legislature. Each delegate shall be a legal voter in the county for which he is elected.

Special election
June 3, 1947.

5. To determine whether the constitutional convention instructed by the people as herein provided shall be convened, and to elect delegates to such a convention if the people vote in favor thereof, a special election shall be held on June third, one thousand nine hundred and forty-seven, at the same time, at the same places, using the same records and facilities and by the same officers and employees as conduct the primary election on that date, as hereinafter provided. In addition to the remuneration for services rendered at a primary election, as otherwise provided by law, each district board member shall be paid five dollars (\$5.00) as payment in full for all services rendered in connection with the special election hereunder. All other public officials who perform services in connection with the special election shall serve without additional compensation. The provisions of Title 19 of the Revised Statutes, insofar as they are not inconsistent with the provisions of this act, shall apply to the nomination and election of delegates and to the submission of the questions hereunder.

Remuneration
of officials.

Provisions of
Title 19 not
to apply.

Nominating
petitions.

6. Candidates for the office of delegate shall be nominated by petition filed with the clerk of the county for which the nomination is made, on or before April fourteenth, one thousand nine hundred and forty-seven. Each nominating petition shall be signed by legally qualified voters of this State residing within the county in and for which the delegates nominated are to be elected, and the

signers of each petition shall number at least three hundred in counties of the first and second class, and one hundred in all other counties.

7. Each nominating petition shall set forth the names, places of residence and post-office addresses of the candidate or candidates thereby nominated, that the nomination is for the office of delegate to the State constitutional convention which may be convened on June twelfth, one thousand nine hundred and forty-seven, and that the petitioners are legally qualified to vote for such candidate or candidates and pledge themselves to support and vote for the persons named in such petition. Every voter signing a nominating petition shall add to his signature, his place of residence, post-office address and street number, if any. No voter shall sign a petition or petitions for a greater number of candidates than are to be elected in the county in which he resides. Signers of petitions need not be members of the political party, if any, in which their nominees are designated, nor shall any member of a political party who signs the nominating petition of a member of another party or of a candidate permitted to use the designation of another political party lose his eligibility to vote in the primary election of the political party of which he is a member.

Contents of
petition.

Signers.

8. Any nominating petition may designate in not more than three words the political party, group, or principles with which the candidate or candidates therein named shall be identified on the official ballot; *provided, however*, that no such designation or slogan shall include or refer to the name of any person, corporation, association or political party unless the written consent of such person, corporation, association or political party is endorsed upon or annexed to and filed with the petition of nomination of the candidate or group of candidates desiring to use a slogan or designation. Consent to the use of the designation, name, derivative or any part thereof of any political party by any candidate, whether or not a member

Slogans.

Proviso.

of that party, may be given and evidenced by a certified copy of a duly adopted resolution of the county committee of the political party in the county for which the nomination is made, and no such consent may be given to a greater number of candidates than are to be elected. Such consent may be given to any candidate or group of candidates by more than one political party, but nothing herein shall authorize or require the name of any candidate to appear on the official ballot more than once.

Candidates
bracketed.

9. Two or more candidates for nomination as delegate may in their nominating petitions request that their names be grouped and bracketed under such common designation or slogan to be named by them, and that such common designation or slogan shall be printed with their names on the official election ballot. If more than one candidate or group shall select the same slogan or designation, the petition first filed shall be entitled, if it otherwise complies with this act, to the use of such slogan or designation, and the county clerk shall so notify all candidates or groups whose petitions are thereafter filed with the same designation or slogan, and such candidate or group shall within two days select a new slogan or designation; subject to the consent required by this act.

Acceptance by
candidate
before filing.

10. Each nominating petition shall, before it may be filed with the county clerk, contain an acceptance of such nomination in writing, signed by the candidate or candidates therein nominated, upon or annexed to such petition, or if the same person or persons be named in more than one petition, upon or annexed to one of such petitions. Such acceptance shall certify that the candidate is a legally qualified voter in the county for which he is nominated. Such acceptance shall also certify that the nominee consents to stand as a candidate at the ensuing special election for the election of delegates to a State constitutional convention, and that if elected he agrees to take office and serve as a delegate from the county in which he is nominated.

11. Each nominating petition shall be verified by an oath or affirmation of one or more of the signers thereof, taken and subscribed before a person qualified under the laws of New Jersey to administer an oath, to the effect that the petition was signed by each of the signers thereof in his proper handwriting, that the signers are, to the best knowledge and belief of the affiant, legal voters of the county as stated in the petition, and that the petition is prepared and filed in good faith for the sole purpose of endorsing the person or persons named therein in order to secure his or their selection as stated in the petition.

Petition
verified.

12. All nominating petitions, their acceptances, requests for the use of designations or slogans and certifications shall when filed be and remain open for public inspection during regular business hours of the county clerk under such reasonable regulation for their proper care and custody as the county clerk may deem necessary. Objections to petitions, the determination of their validity, recourse to the courts by candidates believing themselves aggrieved, and amendment of defective petitions, shall conform to the provisions of Title 19 of the Revised Statutes relating to petitions directly nominating candidates for public office to be voted for in a general election. Vacancies in nominations which occur for any reason may be filled in the same manner as the original nomination by petition filed with the county clerk on or before April twenty-second. Nothing in this act, or in Title 19 of the Revised Statutes, shall be construed to authorize or require any county clerk to defer the printing of ballots, or the mailing of military service ballots, beyond the respective dates herein specifically provided.

Petitions open
to inspection.

Objections
to petitions.

Vacancies.

Construing.

13. A public question shall be submitted to the legal voters by printing in not less than ten-point type, at the head of the ballot, above the names of candidates for the office of delegate, a question in substantially the following form:

Public question
submitted
to voters.

Form of
question.

“Do you favor the holding of a State constitutional convention which shall prepare for submission to the legal voters next November fourth, for their adoption or rejection, in whole or in part, a new State Constitution revising, altering or reforming the present Constitution in such part or parts and in such manner as the convention shall deem in the public interest, *provided*, that the convention shall in no event agree upon, propose or submit to vote of the people, either separately or included among other provisions, any provision for change in present territorial limits of the respective counties, or any provision for legislative representation other than provision for a Senate composed of one Senator from each county and a General Assembly composed of not more than sixty members apportioned among the counties according to population so that each county shall at all times be entitled to at least one member, chosen for, and elected by the legal voters of, the counties respectively, *and provided further*, that the Secretary of State shall review such proposed Constitution and parts thereof to determine whether the convention has complied with the foregoing restrictions, and that only upon his certification that it has so complied may the proposed Constitution and parts thereof be submitted as aforesaid?

Vote "for" or "against" such a constitutional convention by placing an X or + or ✓ mark in the proper box below:

	For such a constitutional convention, instructed to retain the present territorial limits of the respective counties and the present basis of representation in the Legislature.	Question.
	AGAINST such a constitutional convention.	

Regardless of how you have voted on the constitutional convention question above, vote below for your choice of delegates to the convention if one is to be held."

14. The Secretary of State, on or before April fourteenth, one thousand nine hundred and forty-seven, shall certify the foregoing public question to the respective county clerks, and in so certifying shall prescribe the style and size of type and the layout of the question which shall be used by the several county clerks in printing the official ballots for the election of delegates and submission of the question. Except as herein provided, the foregoing question shall be submitted in the manner required by Title 19 of the Revised Statutes for the submission to the people of a public question to be voted upon by the electors or voters of the entire State, and it shall be the duty of the Secretary of State and of the several county clerks to arrange for the submission of such public question and for the election of delegates in accordance with the provisions of this act and of Title 19 of the Revised

Certification of question by Secretary of State.

Statutes to the extent that such provisions are not inconsistent with this act. The mailing of sample ballots as hereinafter provided shall be in lieu of any other provision of law requiring publication, posting or notice of a special election or of the submission of a public question, except notices from the Secretary of State to the county clerks and county boards, and from the county clerks to the municipal clerks, and except the posting of sample ballots.

Separate ballot
to be used.

Voting
machines
not to be used.

Booths
and boxes
furnished.

Additional
boxes
furnished by
Secretary
of State.

15. In all counties there shall be used for the election of delegates and for voting on the public question a paper ballot separate from the primary election ballot and from any other ballot used for any other election on that day. Voting machines shall not be used for the purposes of this act in any county. The ballot, including instructions to voters, shall in all respects, except as herein otherwise required, follow the form and practice provided by law with respect to the election of members of the House of Assembly. In counties using voting machines for the primary election, voting booths and ballot boxes shall be provided for the purposes of this act in the same manner as such equipment is required by law to be provided for general elections where voting machines are not used. In the event that voting booths and ballot boxes complying with the specifications of Title 19 of the Revised Statutes should not be on hand or available, without purchase, in sufficient number for all election districts in any county using voting machines for the primary election, such voting booths and ballot boxes used for school elections as may be made available by the various school districts may be used for the purpose of the special election hereunder. Any additional ballot boxes and voting booths which may be required in the several counties shall be provided by the Secretary of State upon certification to him by the officials charged by law with the duties of providing and storing such equipment that some or all of it has been destroyed or otherwise disposed of pursuant to a

duly adopted municipal ordinance or county resolution, as the case may be. Notwithstanding any provision of Title 19 of the Revised Statutes, ballot boxes and voting booths provided by the Secretary of State hereunder shall be deemed sufficient if he determines that they are designed to protect the secrecy and security of the ballot and to guard against fraud.

Equipment
deemed
sufficient.

16. Ballots shall be printed on colored paper clearly distinguishable from any other ballots used on primary day and from the color of sample ballots in connection therewith. The position of the names of candidates on the ballot shall be determined by the drawing of lots as in general elections in the manner provided by Title 19 of the Revised Statutes. The duly selected designation of each candidate or group of candidates shall be printed upon the ballot above, below or to the right of the name or names of each candidate or group and the names of such candidates as may have duly petitioned to bracket their names together with a single designation shall be so printed.

Ballots printed
on colored
paper.

Drawing
for position.

17. The detachable coupon on official ballots used for the purpose of this act shall be numbered consecutively from one to the number of ballots delivered to and received by the member or members of the district boards for their respective election districts, and all such numbers shall be preceded by the letter "X." For municipalities wherein elections have been held during the year one thousand nine hundred and forty-seven prior to June third, the Secretary of State shall provide a supplementary poll book for each district in such municipality, which shall serve for signature comparison and voting record for the special election only, wherein anyone who votes in the special election hereunder shall sign his name and address, and a member of the district board shall enter alongside each signature the number of the special election ballot given each voter. In all other municipalities, a voter who votes in the primary and in the special election shall sign the signature compari-

Detachable
coupon
numbered.

Supplementary
poll books
furnished.

Signature
comparison.

son record in the columns headed "Primary" and "Other elections" and the numbers of the ballots which he votes at the primary election and at the special election shall be indicated in their proper columns on the voting record. Sample ballots hereunder shall so far as practicable be mailed together with the sample primary election ballots for the same day.

Mailing.

Printing
ballots.

18. All the ballots for the purposes of this act, including sample ballots, shall be printed by the respective county clerks in conformity with sections 13 through 17 hereof and as to all matters not covered here, with the requirements of Title 19 of the Revised Statutes. The county clerk shall prepare and deliver to the printer complete copy for the ballots as herein required on or before the twenty-fourth day of April, and shall mail the ballots provided by this act together with the primary election military service ballots otherwise provided by law, as soon after the thirtieth day of April as shall be practicable.

Counting
ballots.

19. After being voted, the ballots provided by this act shall be deposited in any of the ballot boxes which shall be provided for that purpose, including either ballot box used for the primary election. The ballots cast in the special election to be held hereunder shall be counted and strung and numbered separately from those cast in the primary election. The result of the votes cast for and against the adoption of the public question shall be returned by the election officers, and a canvass of such election had, as is provided by law in the case of the election of a Governor. The votes cast for delegate shall be counted, and the result thereof returned by the election officers, and a canvass of such election had as is provided by law in the case of the election of members to the House of Assembly. On or before the first Monday following the election, the board of county canvassers in each county shall complete the canvass of the votes cast in the county on the public question and for the election of delegates and determine the results of

Canvass
of result.

Result
delivered to
Secretary
of State.

the election in the county; and the clerk of the county shall on the following day deliver the results to the Secretary of State. Ballots which have been cast, election records and ballot boxes shall be disposed of and preserved in the manner provided by chapter eighteen of Title 19 of the Revised Statutes.

20. On the tenth day of June, after the election, the Board of State Canvassers shall complete the canvass of the votes on the public question and for the election of delegates and determine and declare the results of the election on the public question. If a majority of those voting on the question shall vote "for" a constitutional convention, then such convention shall be held as provided in this act and the State canvass of voters cast for delegates shall be completed and the board shall determine and declare the persons elected as delegates. But if a majority of those voting on the question shall vote "against" a constitutional convention, then such convention shall not be held and the canvass of votes cast for delegates and the determination by the State board of the results thereof shall be abandoned. The adoption or rejection of said public question so determined shall be declared in the same manner as the result of an election for Governor, and the Secretary of State shall forthwith certify the result of said election to the Legislature.

Certification
by State board
of canvassers.

21. The Governor shall open the convention and preside at its first session and until permanent officers are selected. So long as he presides he may cast the deciding vote in the event of a tie. The convention shall be the judge of the qualifications of its members, their election, or appointment. It shall have the power by the vote of forty-one of the delegates to choose a president and secretary and all other appropriate officers, to prescribe their functions, powers and duties, and to make rules and regulations for the conduct of its business. Before entering upon his office, each delegate shall take and subscribe an oath or affirmation, before

Governor to
preside.

Organization.

Oath.

any person qualified to administer an oath, that he will abide by the instructions of the people as contained in the referendum hereunder, and support the Constitution of the United States and faithfully discharge his duties as delegate.

Filling
vacancies.

22. If any delegate from any county shall die, resign, remove from the State or county or otherwise become disqualified from serving, or if a vacancy occurs for any reason whatsoever, the vacancy shall be filled by an appointment made by the remaining delegates or delegate from the county; and, in case there be no delegate therefrom, any and all vacancies then existing shall be filled by appointment made by the board of chosen freeholders of the county.

Framing
proposals.

23. The convention may frame a Constitution to be submitted as a whole to the people for adoption or rejection; or it may frame one or more parts of a Constitution, each to be so submitted to the people that they may adopt or reject any part and, if the convention so determines, it may also frame one or more parts to be submitted in the alternative in order that the people may adopt any of the alternatives or reject any or all of them.

Proposals filed.

24. When the convention by a vote of forty-one of the delegates shall have agreed upon its proposals, and the manner of their submission as aforesaid, an original and two true copies thereof shall be prepared, and signed by the president and secretary of the convention and delivered to the Governor who shall cause the original copy to be filed in the office of the Secretary of State. A printed copy of the proposed Constitution shall be delivered to each member of the Legislature, whether or not it is then in session. The Secretary of State shall forthwith review the proposed Constitution, and the several parts thereof, to be submitted to the people, and shall within two days find and determine whether the convention has complied with its instructions as voted by the people. The Secretary of State shall forthwith certify his finding and determination to the convention, and

Printed copies
delivered to
members of
Legislature.

Secretary
to certify
findings.

upon certification that the proposed document and parts thereof comply with the instructions of the people as aforesaid, and only upon such certification by the Secretary of State, the convention may proceed to arrange for submission of the Constitution or parts thereof to the people. The convention shall adjourn sine die, and the delegates shall be discharged from their duties, on or before the twelfth day of September, one thousand nine hundred and forty-seven.

Adjournment.

25. The convention shall frame the question or questions, to be placed upon the ballot, submitting to the people for adoption or rejection the proposed Constitution or the part or parts agreed upon; and may frame, if it deems it appropriate, an interpretative statement to be placed thereupon or may dispense with any such statement notwithstanding any other requirement of law. The convention shall prepare an address to the people consisting of a summary and an explanation of the proposed Constitution or the part or parts agreed upon. Such an address shall be distributed together with the sample ballots for the general election, and shall be in lieu of any other summary statement which may be required by law. The convention may make such directions to officials and others for the submission to the people of the Constitution or the part or parts agreed upon and for notice and publication of the same and of the address, and for the distribution of copies thereof to such persons, places and institutions through the office of the Secretary of State or other persons and at such times and in such manner as it shall determine. The convention may direct that its provisions, or any of them, for notice, publication and distribution shall be in lieu of any other such provisions of law relating to public questions.

Framing question.

Preparation of summary and explanation.

Distribution.

26. The question or questions aforesaid shall be submitted to the people at the general election to be held in the year one thousand nine hundred and forty-seven, the ballots shall be counted, and the results thereof determined, in accordance with the

Question submitted 1947 general election.

provisions of Title 19 of the Revised Statutes for the submission to the people of public questions to be voted upon by the voters of the entire State, except as such provisions are inconsistent with this act or the directions of the convention; and, except as stated, all the provisions of that Title are made applicable to the provisions hereof and the acts to be performed hereunder.

Method
of voting.

27. The convention may require the submission of the question or questions which it may frame, either with the use of voting machines or with paper ballots either separate from or as part of the general election ballot, or with the use of voting machines, where available, and paper ballots elsewhere, as provided in Title 19; *provided*, that all persons qualified to vote in the general election shall be entitled to vote on the questions to be submitted.

Proviso.

Result of
referendum.

28. If a Constitution as a whole is submitted to the people and a majority of all votes cast for and against its adoption shall be in favor of its adoption, then it shall become the Constitution of this State taking effect according to its terms; and if one or more parts of a Constitution are submitted to the people as aforesaid and a majority of all votes cast for and against the adoption of any part shall be in favor of its adoption, then each part so approved shall become a part of the Constitution of this State, taking effect according to its terms. In any such case the Secretary of State shall certify the results of the election to the Governor and the Governor shall thereupon issue his proclamation which shall contain either the Constitution of the State as adopted or, if but one or more parts have been adopted, then the Constitution of the State as so revised.

Certification
and
proclamation.

Appropriation.

29. The convention shall have power to incur such expenses as may be necessary in order to exercise the powers conferred and to perform the duties imposed by this act. The sum of three hundred and fifty thousand dollars (\$350,000.00), or so much thereof as may be necessary, is hereby appro-

priated for printing, advertising and publication, for compensation of such clerical, technical and professional personnel as the convention may require, and for the other expenses of the convention, the same to be disbursed by the Treasurer of this State upon vouchers or warrants to be signed by the president and the secretary of the convention. Delegates to the convention shall be entitled to be reimbursed for their necessary expenses not in excess of ten dollars (\$10.00) for each day the convention is in session, but shall receive no compensation whatever for their services.

Delegates' expenses.

30. All procedural requirements of this act, all provisions and requirements of Title 19 of the Revised Statutes made applicable hereunder and all directions of the convention as to the manner of the submission to the people of the Constitution or of a part or parts agreed upon, shall be directory only, and failure to comply or faulty compliance therewith shall not in any manner prevent the submission thereof; *provided*, that nothing herein shall authorize the submission of any constitution or part thereof in violation of section two of this act.

Saving clause.

Proviso.

31. The additional costs incurred in the several counties, in connection with the special election hereunder, for the printing of sample and official ballots, and for compensation of election officials pursuant to section five of this act, and all other expenses incident to such special election, shall be paid by the State Treasurer upon vouchers certified by the county clerk and approved by the State Comptroller. For this purpose, and for the expenses of the Secretary of State in providing such ballot boxes and voting booths as may be required pursuant to section fifteen hereof and supplementary poll books pursuant to section seventeen hereof, there is hereby appropriated, out of any available funds in the State treasury, the sum of one hundred twenty-five thousand dollars (\$125,000.00).

Additional costs paid by State.

Appropriation.

32. This act shall take effect immediately.
Approved February 17, 1947.

CHAPTER 9

AN ACT to validate and confirm the proceedings of school district meetings and elections heretofore held and bonds voted at such meetings or elections.

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

Proceedings
validated.

1. All proceedings of school district meetings and elections heretofore held in school districts in this State for the purpose of authorizing the issuance of bonds and any bonds issued or to be issued in pursuance of a proposal or proposals adopted by the legal voters at any such meeting or election are hereby validated and confirmed, notwithstanding that the proposal or proposals submitted at any such meeting or election failed to state that certain borrowing power of the municipality in which the school district was located would be used; *provided*, that in the notice calling any such meeting or election the voters were apprised of the fact that certain borrowing power of the municipality in which the school district was located would be used.

Proviso.

2. This act shall take effect immediately.

Approved February 21, 1947.

CHAPTER 10

AN ACT concerning legal holidays, and amending
section 36:1-1 of the Revised Statutes.

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

1. Section 36:1-1 of the Revised Statutes is Section amended.
amended to read as follows:

36:1-1. The following days in each year shall, Legal holidays.
for all purposes whatsoever as regards the presenting for payment or acceptance, and of the protesting and giving notice of dishonor, of bills of exchange, bank checks and promissory notes be treated and considered as the first day of the week, commonly called Sunday, and as public holidays: The first day of January, known as New Year's Day; the twelfth day of February, known as Lincoln's Birthday; the twenty-second day of February, known as Washington's Birthday; the day designated and known as Good Friday; the thirtieth day of May, known as Memorial Day; the fourth day of July, known as Independence Day; the first Monday of September, known as Labor Day; the twelfth day of October, known as Columbus Day; the eleventh day of November, known as Armistice Day; the fourth Thursday of November, known as Thanksgiving Day; the twenty-fifth day of December, known as Christmas Day; any general election day in this State; every Saturday; and any day heretofore or hereafter appointed, ordered or recommended by the Governor of this State, or the President of the United States, as a day of fasting and prayer, or other religious observance, or as a bank holiday or holidays. All such bills, checks and notes, otherwise presentable for acceptance or payment on any of the days herein enumerated, shall be deemed to be payable and be presentable for acceptance or payment on the secular or business day next succeeding any such holiday.

When holiday
falls on
Sunday.

Whenever any of the days herein enumerated can and shall fall on a Sunday, the Monday next following shall, for any of the purposes herein enumerated be deemed a public holiday; and bills of exchange, checks and promissory notes which otherwise would be presentable for acceptance or payment on such Monday, shall be deemed to be presentable for acceptance or payment on the secular or business day next succeeding such holiday.

Construing.

In construing this section, every Saturday shall, until twelve o'clock noon, be deemed a secular or business day, except as is hereinbefore provided in regard to bills of exchange, bank checks and promissory notes, and the days herein enumerated except bank holidays and Saturdays shall be considered as the first day of the week, commonly called Sunday, and public holidays, for all purposes whatsoever as regards the transaction of business in the public offices of this State, or counties of this State; but on all other days or half days, except Sunday or as otherwise provided by law, such offices shall be kept open for the transaction of business.

2. This act shall take effect immediately.

Approved February 24, 1947.

CHAPTER 11

AN ACT to supplement "An act concerning elections, supplementing Title 19 of the Revised Statutes, and repealing 'An act concerning elections, and supplementing Title 19 of the Revised Statutes,' approved April fourteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 141)," approved February fifth, one thousand nine hundred and forty-five (P. L. 1945, c. 7).

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

1. The operation of section two of the act of which this act is a supplement shall be suspended from the effective date of this act until July first, one thousand nine hundred and forty-seven. Section inoperative.

2. Petitions nominating candidates to be voted for at the primary election for the general election to be held on the third day of June, one thousand nine hundred and forty-seven, shall be filed with the respective officers with whom they are by law required to be filed on or before the fiftieth day prior to the third day of June, one thousand nine hundred and forty-seven. Date for filing petitions.

3. This act shall take effect immediately and shall expire July first, one thousand nine hundred and forty-seven. Act inoperative.

Approved March 11, 1947.

CHAPTER 12

AN ACT concerning military service voting in the elections to be held on the third day of June, one thousand nine hundred and forty-seven, supplementing Title 19 of the Revised Statutes.

Preamble. WHEREAS, In order to afford every voter of this State who was in military service in time of war an opportunity to vote notwithstanding the fact that such persons may have been absent from the election district in which they resided, whether such persons were within or without this State or the United States, certain acts were passed by the Legislature; and

Preamble. WHEREAS, Since the cessation of hostilities most of the persons who were formerly in military service have been discharged and most of those who still remain in service have not attained the age to qualify them as legal voters of this State; and

Preamble. WHEREAS, Only about eleven hundred military service voters voted throughout the State in the general election held in one thousand nine hundred and forty-six; and

Preamble. WHEREAS, Adequate records of the names and addresses of persons now in military service from which to compile a list of military service voters in each municipality do not exist; now, therefore,

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

Application of act. 1. This act shall apply only to the elections to be held on the third day of June, one thousand nine hundred and forty-seven; that is, the primary elec-

tion for the general election and the special election pursuant to an act entitled "An act to provide for a State constitutional convention so instructed by the legal voters that it shall have no power to propose any change in the present basis of representation in the Legislature, providing for the nomination and election of delegates, at a special election, and for the submission of the proposals of the convention to the people for adoption or rejection, and making an appropriation therefor," heretofore enacted at this session of the Legislature.

The operation of sections three to twenty, inclusive, of "An act concerning elections, supplementing Title 19 of the Revised Statutes, and repealing 'An act concerning elections, and supplementing Title 19 of the Revised Statutes,' approved April fourteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 141)," approved February fifth, one thousand nine hundred and forty-five (P. L. 1945, c. 7), as amended, and the operation of "An act to afford certain voters of this State, who are in the military service and in certain services auxiliary to and associated therewith, and in certain veterans' hospitals, in time of war, an opportunity to vote in certain elections to be held in this State notwithstanding that such voters may be absent on election day from the respective election districts in which they reside, and supplementing Title 19 of the Revised Statutes," approved February twelfth, one thousand nine hundred and forty-five (P. L. 1945, c. 11), is hereby suspended with respect to the aforesaid elections.

Sections of
acts and acts
inoperative.

2. The county clerk of each county, between the thirtieth day of March, one thousand nine hundred and forty-seven and the nineteenth day of April, one thousand nine hundred and forty-seven, shall cause the notice, hereinafter prescribed, to be published once a week for three successive weeks in at least two newspapers published in the county.

Publication
of notice.

Form of
notice.

The notice hereinabove referred to shall be printed in bold-face type and shall be in substantially the following form:

NOTICE TO VOTERS IN MILITARY SERVICE AND TO
THEIR RELATIVES AND FRIENDS

If you are in military service or are a patient in a veterans' hospital and desire to vote, or if you are a relative or friend of a person who is in military service or a patient in a veterans' hospital who you believe will desire to vote, in the primary election for the general election and the special election to vote on a public question as to whether or not a constitutional convention shall be convened and for the election of delegates to such convention, to be held on June third, one thousand nine hundred and forty-seven, kindly write to the undersigned, on or before May fifteenth, one thousand nine hundred and forty-seven, respecting your right, or that of your relative or friend, to vote in such elections.

Dated: (Insert date of notice)

(Insert name, title and address of county clerk)

Affidavit
mailed.

3. Upon the receipt of any such communication the several county clerks shall immediately mail the appropriate affidavit to the military service or veterans' hospital address of the military service voter if such communication is received from him or to the home address of the relative or friend if such communication is received from him, as stated in such affidavit, as follows:

TO BE USED BY THE VOTER IN THE MILITARY SERVICE
OR A PATIENT IN A VETERANS' HOSPITAL

STATE OF _____ }
COUNTY OF _____ } ss.

I,, of full age, being
duly sworn upon my oath according to law,
depose and say that:

My home address is at (street and number

..... in
or R. D. route) (name of city or other

..... in the county of.....
municipality)

....., State of New Jersey;

in the military service

I am a patient in a veterans' hospital and
(strike out one)

my military service address or veterans' hospital address is

I was born on

and have resided in New Jersey at least one year and in said county at least five months counting the time I have been in military service or a patient in a veterans' hospital or both; and I believe that I am qualified to vote as a military service voter in said county in the elections to be held on June third, one thousand nine hundred and forty-seven.

Sworn and subscribed
to before me this
..... day
of 19..

(name and title of officer taking affidavit)

CHAPTER 12, LAWS OF 1947

TO BE USED BY RELATIVE OR FRIEND OF PERSON IN
MILITARY SERVICE OR A PATIENT IN A
VETERANS' HOSPITAL

STATE OF _____ }
COUNTY OF _____ } ss.

I, _____, of full age,
being duly sworn upon my oath according to
law, depose and say that:

I reside at _____
(street and number or R.D. route)
in _____ in the
(name of city or other municipality)
county of _____ in the
State of _____;

I am _____
(state relationship or connection)
of _____
(name of person in military service or
_____ whose home address is
veterans' hospital)
at _____
(street and number or R.D. route)
in _____ in the
(name of city or other municipality)
county of _____ in

the State of _____, who
is of the age of twenty-one years, has resided
in the State of New Jersey at least one year
and in said county at least five months count-
ing the time he has been in the military service
or a patient in a veterans' hospital or both and
that I verily believe that he is qualified to vote
as a military service voter in the elections to

be held in the State of New Jersey on June third, one thousand nine hundred and forty-seven.

Sworn and subscribed
to before me this
..... day
of 19..
.....
(name and title of officer taking affidavit)

Such affidavit shall be subscribed and sworn to by a voter in the military service or in a veterans' hospital, before a person authorized to administer oaths or before a commissioned officer of the armed forces of the United States, or by his relative or friend, as the case may be, before a person authorized to administer oaths. Affidavit of
military voter.

4. Each county clerk, upon receipt of such affidavits, shall file them alphabetically and according to the municipalities of the home addresses of the military service voters appearing thereon and shall, prior to the thirtieth day of April, one thousand nine hundred and forty-seven, cause to be prepared, a sufficient number of military service primary election ballots and military service ballots for the submission of the public question above referred to and for the election of delegates to the constitutional convention, and a list of candidates for the public offices to be filled in each election district in the county whose names do not appear upon the ballot as hereinafter provided, as in his judgment will be necessary for distribution under this act in his county. Preparing
ballots.

The county clerk shall mail to each person, whom he shall ascertain to be a legal military service voter under this act, and by whom or on whose behalf an affidavit shall have been filed, as provided in this act, military service primary election ballots and a military service ballot for the submission of said public question and the election of said delegates, in one envelope, as soon after April thirtieth, County clerk
to mail ballots.

one thousand nine hundred and forty-seven as practicable, and from time to time thereafter as he shall ascertain that applicants are entitled thereto, but not later than the twenty-fifth day of May, one thousand nine hundred and forty-seven.

Form and
contents of
ballot.

The military service primary election ballots shall conform generally to the official ballots to be used in the primary election for the general election but shall be so prepared that the military service voter may indicate thereon his choice of the candidates of one political party for each of the offices to be voted upon at said election by the voters of the entire State or of the county in which such military service voter's election district is situate and shall contain at the end of the list of candidates for each different office blank squares and spaces or lines equal to the number of persons to be elected to the offices for the purpose of allowing the military service voter to write in and vote for the name of any person for whom he desires to vote for such office and sufficient space shall also be provided in similar manner for the military service voter to write in the names of and vote for any candidates for, or his personal choice for, any public office to be voted upon in such election district, as the candidates of his political party for the offices which do not appear upon said ballot.

List of cer-
tain candidates
furnished.

A list of the candidates for the offices to be filled in each election district in the county whose names do not appear upon said ballot, with a statement of the office for which each is a candidate, shall be forwarded with such ballot. Neither the military service ballot nor the list of candidates shall include, however, candidates for party offices.

Ballot for
public question.

The military service ballots for submission of the public question as to the convening of a constitutional convention, and for the election of delegates thereto shall conform to the official ballots provided for by "An act to provide for a State constitutional convention so instructed by the legal voters that it shall have no power to propose any change in the present basis of representation in the Legislature,

providing for the nomination and election of delegates, at a special election, and for the submission of the proposals of the convention to the people for adoption or rejection, and making an appropriation therefor," approved February seventeenth, one thousand nine hundred and forty-seven (P. L. 1947; c. 8).

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

Voting
party ballot.

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

Voting direc-
tions and
envelopes.

7. The outer envelope shall be addressed to the county board of elections of the county in which is located the home address of the person to whom the ballot is sent, as certified in the affidavit provided for by section three of this act.

Address on
outer envelope.

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

Specifications
for inner
envelope.

Certificate
on flap.

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

I hereby certify that

- (1) I am a citizen of the United States;
- (2) The date of my birth was
- (3) On the third day of June, 1947, I will have resided in New Jersey for
(Years and

..... and in
months)

County for;
(Years and months)

- (4) My home address is at
(Street and

..... in
number, if any) (City, borough, town, town-
ship or village) Or rural route.....
ship or village)

.....;

- (5) My military service address or veterans' hospital address is

.....
(Write your usual signature above)

.....
(Print your name clearly above)

Witnessed by me this
day of 1947.

.....
(Signature and rank of officer)

In addition to the foregoing, the certificate to be used on the margin of the flap of the inner envelope forwarded with any military service ballot intended to be voted in any primary election for the general

election shall contain the following statement above the place left for signature:

I intend to vote at the next ensuing general election for the nominees of the.....

(Name

..... political party, whose ballot of Party)

is marked herein, and I am not a member of, or identified with, any other political party or any political organization espousing the cause of candidates of any other political party. I have not voted in a primary election of any other political party in the last two primary elections or contributed to the campaign funds of any other political party within one year prior to the primary election at which this ballot is to be voted.

10. On the outside of each envelope in which a military service ballot is sent to a military service voter, and of each outer envelope for the return of such a ballot, there shall be printed or stamped the words "Official Election Military Ballot," and the several county clerks shall take advantage of any provision for transmission, free of postage, of ballots and the envelopes containing the same provided by the acts of the Congress of the United States but if no such provision is made, proper first-class postage and air mail postage shall be prepaid thereon. If the military service voter is located without the confines of the forty-eight States and the District of Columbia, the military service ballots shall be forwarded by air mail. In all other cases, such ballots shall be forwarded by first-class mail.

Envelopes.

Methods of mailing.

11. Each county clerk shall, from time to time, prior to such elections, to be held while this act is in effect, certify in writing, under oath, to the commissioner of registration of the county, the names and home addresses of the persons to whom mili-

Names supplied.

tary service ballots to be voted at such elections have been forwarded pursuant to this act.

Names transferred to military file.

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

Preparation of ballot by military service voter.

13. Any military service voter shall be entitled to mark any military service ballot, so forwarded to him, for voting at the elections by indicating his choice of candidates for the offices named, and as to the public question stated thereon, in accordance with the election laws of this State, except that in the case of such ballots to be voted in the primary election for the general election his choice shall be limited to the candidates of his political party or to any person or persons whose names are written thereon by him and, when so marked, such ballot shall be placed in said inner envelope, which shall then be sealed, and the voter shall then fill in the form of certificate attached to said inner envelope, at the end of which he shall sign and print his name in his own handwriting, and his signature thereto shall be witnessed by a commissioned officer in the armed forces of the United States, if the voter is in the military service, or by a person authorized to take an oath, if he is a patient in a veterans' hospital, and said inner envelope with the certificate shall then be placed in said outer envelope which shall then be sealed.

Mailed to county board.

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

Verification.

14. The county board of elections shall, promptly after receiving each military service ballot, remove the inner envelope, containing the ballots, from the outer envelope and ascertain through the commissioner of registration and in any other available way whether or not the name of the person, whose name appears following the certificate

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

15. After such investigation the county board of elections shall detach or separate the certificate from the inner envelope containing the military service ballot, unless it has been rejected by it or by the court of common pleas, marking the envelope so as to identify the election district in which the ballot contained therein is to be voted as indicated by the military service voter's home address appearing on the certificate attached to or accompanying said inner envelope and, in the case of ballots to be voted at a primary election for a general election, so as to identify the political party in the primary election of which it is to be voted.

Procedure
in handling
envelopes.

16. It shall not be necessary to qualify any military service voter to vote by a military service ballot in any county, that he shall be or shall have been registered to vote in any election district of this State at the time of any election or at any other time, if his name has been certified by the county clerk of the county to the commissioner of registration

Not necessary
to qualify
voter.

Canvass.

of the county as hereinbefore provided. Any military service ballot returned to any county board of elections in the envelopes required by this act shall be counted in determining the result of any election in which it is to be voted in the election district indicated by the military service voter's home address appearing on the certificate attached to or accompanying the inner envelope, containing such military service ballot, if such certificate contains information which would qualify the military service voter to vote in said election district if he were registered to vote therein, and if said certificate has been filled in and purports to have been executed and witnessed in the manner required by this act and if such military service ballot has been so marked as to comply with the requirements of the election laws of this State and in computing the length of residence, in the county and State, of any military service voter the time which shall have elapsed during his military service or while a patient in any such veterans' hospital or both shall be counted. All ballots received by the county boards prior to the time designated for the closing of the polls for said election shall be counted.

Not to
invalidate
ballot.

17. No military service ballot shall be rejected or declared invalid because it does not contain all of the names of the candidates or all of the public questions to be voted for or upon in the election district in the election in which it is to be counted, and any military service ballot shall be counted in determining the result of said election as to any office if the designation of the office and the name of the candidate for election to said office are written thereon so as to indicate the voter's choice and that, notwithstanding that such designation and name may be or should have been printed upon such military service ballot in the regular manner.

Voting in
person by
military
service voter
upon return.

18. Any military service voter who returns to his place of residence within this State, within thirty days before June third, one thousand nine hundred and forty-seven, and who has not received military service ballots, may appear in person be-

fore, and apply by affidavit to, the proper county clerk for military service ballots and if he has not been certified as a military service voter or if he has been so certified and the military service ballots have not been mailed to him, he shall be entitled to receive military service ballots from the county clerk and to cast the same by presenting them in person to the proper county board of elections, properly marked, enclosed and sealed in the inner envelopes provided for that purpose, with the certificates on the flap of the inner envelopes duly filled in and signed as required by this act, upon being properly identified and after being permanently registered, at any time before the closing of the polls on the day of such elections, and if the ballots are properly marked, they shall be counted at the elections. Any such person shall be permitted to permanently register if he is otherwise entitled so to register notwithstanding that the last registration day before the elections has passed. In any such case the military service voter's permanent registration form shall be transferred to and filed in, or filed in, the "Military File."

May permanently register.

19. On the day of such elections, each county board of elections shall open in the presence of the commissioner of registration or his assistant or assistants the inner envelopes in which the military service ballots, returned to it, to be voted in such elections, are contained, except those containing the ballots which the board or the court of common pleas of the county has rejected, and shall remove from said inner envelopes the military service ballots and shall then proceed to count and canvass the votes cast on such military service ballots, but no military service ballot shall be counted in the primary election for the general election if the ballot of the political party marked for voting thereon differs from the designation of the political party in the primary election of which such ballot is intended to be voted as marked on said envelope by the county board of elections. Immediately after the canvass is completed, the county

Canvass.

Results certified.

board of elections shall certify the result of such canvass to the county clerk showing the result of the canvass by ward and district, and the votes so counted and canvassed shall be counted in determining the result of said election.

Ballots and envelopes retained for one year.

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

Emergency voting.

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

Powers of election officials.

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

Fixing times for certifications, etc.

23. In order to conform to this act, the actions hereinafter described shall be taken by the persons and officers required by law to take the same at the times hereinafter designated instead of at the times otherwise provided by law.

- (a) The Secretary of State shall cause to be delivered the notice required by section 19:12-2 of the Revised Statutes on or before the fifteenth day of March. Notice by Secretary of State.
- (b) The Secretary of State shall prepare and distribute the information and election supplies as required by section 19:9-2 of the Revised Statutes on or before the first day of May. Information and supplies.
- (c) The chairman of each county committee shall make the certifications required by the fourth paragraph of section 19:5-3 of the Revised Statutes before the first day of April. Certifications by chairman of county committees.
- (d) The several county clerks shall make the certifications required by the second paragraph of section 19:12-3 and by section 19:12-5 of the Revised Statutes not later than the first day of April. Certifications by county clerks.
- (e) The several municipal clerks shall make the certifications required by section 19:12-6 of the Revised Statutes not later than the first day of April. Certifications by municipal clerks.
- (f) The officer with whom any objection to the validity of any petition of nomination is filed, in accordance with section 19:13-10 of the Revised Statutes, shall file his determination in the manner required by section 19:13-11 of the Revised Statutes on or before the forty-fourth day prior to the first Tuesday in June except that in the case of delegates to be elected to the constitutional convention, such determination shall be made within two days after the filing of such objections. Time for determining validity of petitions.
- (g) Any candidate making application or complaint to the Chief Justice or a justice of the Supreme Court under section 19:13-12 of the Revised Statutes shall make such application or complaint on or before the nineteenth day of April, one thousand nine hundred and forty-seven, and such application or complaint shall be heard, and the order made thereon, within two days after the filing of such application or complaint. Time for making complaint.
- (h) Vacancies occurring in the manner described in sections 19:23-12 and 19:23-13 of the Revised Vacancies.

Proviso.	Statutes may be filled in the manner therein provided for; <i>provided</i> , the certification or new petition, as the case may be, is filed on or before the forty-second day prior to said first Tuesday in June.
Amending petitions.	(i) Any candidate desiring to amend his petition of nomination, or affidavit or affidavits thereto, in the manner and in the particulars specified in section 19:13-13 of the Revised Statutes shall make such amendments on or before the forty-fifth day prior to the first Tuesday in June; <i>provided</i> , that
Proviso.	in the case of candidates for the office of delegate to the constitutional convention, such amendments shall be made on or before noon of the forty-first day prior to the first Tuesday in June.
Certification by county clerks.	(j) The several county clerks shall make the certifications required by section 19:23-22 of the Revised Statutes on or before the fortieth day prior to said first Tuesday in June.
Certification by municipal clerks.	(k) The several municipal clerks shall make the certifications required by the second paragraph of section 19:23-14 of the Revised Statutes on or before the forty-second day prior to said first Tuesday in June.
Position and bracketing of candidates.	(l) The several county clerks and the several municipal clerks shall determine the positions which the candidates and the bracketed groups of candidates shall have upon the primary election ballots in each year, in the manner prescribed by section 19:23-24 of the Revised Statutes, on the forty-third day prior to said first Tuesday in June
Proviso.	at three o'clock in the afternoon; <i>provided</i> , that in the case of candidates for the office of delegate to the constitutional convention, such determination of positions shall be made on the forty-first day prior to the first Tuesday in June at three o'clock in the afternoon.
Military service voter defined.	24. "Military service voter" means any person in the military service, or any patient in any veterans' hospital, located in any place other than the place of his residence, having served as a

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

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

Failure to send
ballots not to
invalidate
election.

26. This act shall take effect immediately.

Approved March 11, 1947.

CHAPTER 13

AN ACT to amend "An act for the relief of any county in which the exemption of intangible personal property from the general property tax shall cause a reduction of eighty per centum (80%) or more in net valuation taxable for county purposes," approved April thirteenth, one thousand nine hundred and forty-five (P. L. 1945, c. 166).

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:

Budgets
for county
purposes.

2. Any county in which the budget for county purposes in one thousand nine hundred and forty-six exceeds the budget for one thousand nine hundred and forty-five, exclusive of debt service in each case, by more than five per centum (5%), or in which such budget for one thousand nine hundred and forty-seven exceeds the budget for one thousand nine hundred and forty-five, exclusive of debt service in each case, by more than ten per centum (10%); shall not be entitled to its share of the amount otherwise distributable under this act for the year in question; *provided*, that there shall not be included in the computation of any such excess any proposed expenditure to be made from additional State funds appropriated for State aid to counties for roads and apportioned to said county for expenditure in the year one thousand nine hundred and forty-seven.

Proviso.

2. This act shall take effect immediately.

Approved March 12, 1947.

CHAPTER 14

AN ACT concerning certain persons appointed to office, position or employment by the Governor.

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

1. When any person, who 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 Commission, shall be appointed to any other office, position or employment by the Governor, such person shall be entitled to leave of absence, without pay, from the said office, position or employment, in which he has tenure or is so protected, for such length of time as he shall hold the office, position or employment to which he is so appointed by the Governor and he shall continue to hold the said office, position or employment in which he has tenure or is so protected and shall retain all of the rights, privileges and benefits, including his rating and status in the civil service, incident to his continued holding of said office, position or employment, except the right to receive pay by reason of his holding thereof, despite the fact that he accepts the office, position or employment to which he has been appointed by the Governor, provided the Governor certifies his approval, in writing, of the retention by such person of such office, position or employment to the Civil Service Commission and to such person's immediate superior in such office, position or employment.

C. 52:14-16.2.
Leave of
absence
without pay.

2. This act shall take effect immediately.

Approved March 14, 1947.

CHAPTER 15

A SUPPLEMENT to "An act concerning the State Highway Department and adding an additional route to the State highway system," approved March seventeenth, one thousand nine hundred and forty-three (P. L. 1943, c. 28).

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

Route
designated
as freeway.

1. The highway route established by chapter twenty-eight of the laws of one thousand nine hundred and forty-three is hereby designated as a freeway as defined in chapter eighty-three of the laws of one thousand nine hundred and forty-five.

2. This act shall take effect immediately.

Approved March 14, 1947.

CHAPTER 16

AN ACT to amend "An act concerning county and municipal budgets, and supplementing chapter two of Title 40 of the Revised Statutes," approved April third, one thousand nine hundred and thirty-nine (P. L. 1939, c. 32).

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

Section
amended.

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

C. 40:2-11.1.
Deducted from
municipal
budget and
added to
school budget.

1. In transmitting the certified copy of the budget to the county board of taxation, municipalities in which schools are administered under chapter six of Title 18 of the Revised Statutes (Article VI,

Districts) shall deduct the amount of debt service for school indebtedness from the amount of its municipal budget and add same to the school budget and all emergency appropriations certified to a municipality by any school district and approved by the said municipality, any appropriation made by any municipality for any deficiency in basic aid to school districts pursuant to the provisions of chapter sixty-three of the laws of one thousand nine hundred and forty-six, and any appropriations required to be made by any municipality pursuant to the provisions of chapter one hundred thirty-five of the laws of one thousand nine hundred and forty-six shall be deducted from the municipal budget and added to the school budget.

In municipalities in which schools are administered under chapter seven of Title 18 of the Revised Statutes it shall be the duty of the municipal clerk to make a separate certification to make the provisions of this section effective and the Director of the Division of Local Government in the State Department of Taxation and Finance shall be empowered, and it shall be his duty, to prescribe the necessary forms to make this act effective.

2. This act shall take effect immediately.

Approved March 17, 1947.

CHAPTER 17

AN ACT concerning railroads, and supplementing chapter twelve of Title 48 of the Revised Statutes.

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

1. Any railroad company may lay out, construct, acquire, lease, contract in respect to, or purchase c. 48:12-32.1.
May construct
railroad.

any branch line or lines, spur or side track of railroad, not exceeding four miles in length, either entirely or partially, in, through, along, across or upon any public or private road or street, and may maintain and operate the same, connecting with and extending from the main line or any branch line of the company, to extend to the premises, place, track or enclosure where any horse race meeting is held or conducted or to be held or conducted by any person, partnership, association or corporation, pursuant to a license or permit heretofore or hereafter issued by the New Jersey Racing Commission.

Agreement
with licensee.

Such railroad company may make and enter into an agreement or contract with any such licensee or permit holder for any such construction, maintenance and operation of any such branch line or lines, spur or side track of railroad.

Survey and
deposit.

Such railroad company may take, hold, occupy and use the land necessary for any such purpose or purposes and shall file a map and description of the survey of the route of the branch line or lines, spur or side track of railroad, in the office of the Secretary of State and shall make the deposit required by section 48:12-25 of this Title, pending construction, with the State Treasurer.

Power of
eminent
domain.

Such railroad company shall have the right to take and acquire by the exercise of the power of eminent domain any land, property or private road as shall be necessary for such purpose or purposes, but not in excess of two hundred feet in width, for such branch line or lines, spur or side track of railroad; *provided*, that additional land may be so acquired where necessary for the slopes of cuts or embankments or for retaining walls.

Proviso.

Municipal
consent.

Such railroad company shall not construct any branch line or lines, spur or side track of railroad for any such purpose or purposes within the limits of any city, town, borough, village or township until it shall have first obtained the consent of the municipal governing body, which consent may be given by resolution or by the grant of an easement and

any such consent of a municipal governing body shall be subject to the approval of the Board of Public Utility Commissioners.

2. This act shall take effect immediately.

Approved March 17, 1947.

CHAPTER 18

AN ACT concerning the alcoholic beverage tax law, and amending sections 54:41-2 and 54:43-1 of the Revised Statutes.

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

1. Section 54:41-2 of the Revised Statutes is amended to read as follows: Section amended.

54:41-2. As used in this subtitle: Terms defined:

“Alcoholic beverages” means liquors, beer, wines and sparkling wine, as defined in this section. Alcoholic beverage;

“Beer” means beer, lager beer, ale, stout, porter, and all similar fermented malt beverages having an alcoholic content of one-half of one per centum ($\frac{1}{2}$ of 1%) or more by volume. Beer;

“Bonded warehouse” means the warehouse of any licensed manufacturer or licensed wholesaler or licensed warehouseman for which the licensee has given special security to obtain certain privileges given by this subtitle. Bonded warehouse;

“Bureau” means the Beverage Tax Bureau of the Division of Taxation in the State Department of Taxation and Finance. Bureau;

“Commissioner,” “State Tax Commissioner” or “Director” means the Director of the Division of Taxation in the State Department of Taxation and Finance. Commissioner;

“Container” means the receptacle immediately surrounding the alcoholic beverage and not the carton, box, case, sack, bag or other covering in Container;

which such containers may be packed, placed, or transported.

Department; "Department," "State Tax Department," or "Beverage Tax Bureau" means the Division of Taxation in the State Department of Taxation and Finance.

Licensed manufacturer; "Licensed manufacturer" means any person holding a valid and unrevoked brewery, winery, distillery, or rectifier's license issued pursuant to the provisions of any relevant law of this State.

Licensed transporter; "Licensed transporter" means any person holding a valid and unrevoked license or permit to transport alcoholic beverages pursuant to the provisions of any relevant law of this State.

Licensee; "Licensee" means the holder of any valid and unrevoked license or special permit issued pursuant to any relevant law of this State, pertaining to alcoholic beverages.

Liquors; "Liquors" means all distilled or rectified spirits, alcohol, brandy, whisky, rum, gin and all similar distilled alcoholic beverages, including all dilutions and mixtures of one or more of the foregoing, such as liqueurs, cordials, and similar compounds, having an alcoholic content of one-half of one per centum ($\frac{1}{2}$ of 1%) or more by volume.

Manufacturer; "Manufacturer" means any person holding a valid and unrevoked brewery, winery, distillery, supplemental limited distillery, or rectifier and blender's license, issued pursuant to the provisions of any relevant law of this State.

Person; "Person" means a natural person, an association, a partnership or a corporation.

Plenary retail transit licensee; "Plenary retail transit licensee" means any person holding a valid and unrevoked plenary retail transit license issued pursuant to any relevant law of this State, authorizing the sale of alcoholic beverages for consumption only, on railroad trains, airplanes, and boats, while in transit in this State.

Return; "Return" means the return of alcoholic beverages by a customer to the source from which such beverages were obtained, upon the cancellation of a sale, and shall include: (a) actual receipt of the

beverages on the licensed premises of the source or in a licensed public warehouse for the account of the source; or (b) the sending of the beverages by the customer to another person upon instructions of the source; but shall not include any other disposition, such as samples, breakage, shortage, merchandising credits, or beverages dumped on the premises of the customer, except where such dumping is done under the supervision of the Director or his representative.

“Sale” means and includes, in addition to its ordinary meaning, any exchange, gift, loss, theft, or other disposition. In every case where alcoholic beverages are exchanged, given, lost, stolen or otherwise disposed of, they shall be deemed to have been sold, unless, in case of loss by fire, proof is furnished to the satisfaction of the commissioner, that the alcoholic beverages have been so destroyed that they could not have been put to any use. Sale;

“Sparkling wine” means champagne and other effervescent wine charged with carbon dioxide, whether artificially or as the result of secondary fermentation of the wine within the container. Sparkling wine;

“State licensee” means any person holding a valid and unrevoked license or special permit, issued by the State Commissioner of Alcoholic Beverage Control, and who has posted a bond with the Director to secure the payment of the alcoholic beverage taxes. State licensee;

“Taxpayer” means a person chargeable with the payment of a tax pursuant to the provisions of this subtitle. Taxpayer;

“Transportation licensee” means any person holding a valid and unrevoked license or special permit to transport alcoholic beverages pursuant to the provisions of any relevant law of this State. Transportation licensee;

“Treasurer” means the Treasurer of the State of New Jersey. Treasurer;

“Vermouth” means any compound made by the mixture of extracts from macerated aromatic flavoring materials with wines and manufactured in such manner that the product possesses the taste, Vermouth;

aroma, and characteristics generally attributed to vermouth.

Warehouse receipt;

“Warehouse receipt” means a certificate or receipt given upon the storage of alcoholic beverages in a United States custom or United States internal revenue warehouse under Federal bond.

Warehouse receipts licensee;

“Warehouse receipts licensee” means any person holding a valid and unrevoked warehouse receipts license issued pursuant to any relevant law of this State.

Wines.

“Wines” means all wines whether known as “dry wines,” “sweet wines,” “still wines,” or “fortified wines” and any artificial or imitation wine or compound sold as wine, and any fruit juice containing one-half of one per centum ($\frac{1}{2}$ of 1%) or more of alcohol by volume, and any other beverage containing alcohol produced by the fermentation of the natural sugar content of fruits or other agricultural products containing sugar, which beverage contains one-half of one per centum ($\frac{1}{2}$ of 1%) or more of alcohol by volume, but shall not mean or include vermouth, or cider containing less than three and two-tenths per centum ($3\frac{2}{10}\%$) of alcohol by volume.

Section amended.

2. Section 54:43-1 of the Revised Statutes is amended to read as follows:

Schedule of excise taxes.

54:43-1. There are hereby levied and imposed upon any sale of alcoholic beverages made within this State or upon any delivery of alcoholic beverages made within or into this State the following excise taxes:

a. Beer—three and one-third cents ($\$0.03\frac{1}{3}$) a gallon or fraction thereof.

b. Liquors—at the rate of one dollar and fifty cents ($\$1.50$) a gallon.

c. Wines—at the rate of ten cents ($\$0.10$) a gallon.

d. Vermouth—at the rate of fifteen cents ($\$0.15$) a gallon.

e. Sparkling wines—at the rate of forty cents ($\$0.40$) a gallon.

3. This act shall take effect immediately.

Approved March 21, 1947.

CHAPTER 19

AN ACT to amend "An act concerning bribery and corruption in connection with certain sporting contests, and supplementing subtitle thirteen of Title 2 of the Revised Statutes," approved April twenty-third, one thousand nine hundred and forty-five (P. L. 1945, c. 217).

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

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

Section
amended.

1. Any person who shall, directly or indirectly, give or promise to give, any money or valuable thing, as a bribe, present or reward, to any person taking part or intending to take part, as a professional or amateur participant, in any baseball, football, basketball, or hockey game, boxing match or sporting contest, with intent to induce such person to lose or cause the loss, or attempt to lose or cause the loss, of any such game, match or contest, by such person or by the team or side of such person, shall be guilty of a high misdemeanor, and punished by a fine not exceeding five thousand dollars (\$5,000.00), or imprisonment at hard labor not exceeding seven years, or both.

C. 2:114-14.
Giving of
bribe, penalty.

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

Section
amended.

2. Any person taking part or expecting to take part, in any baseball, football, basketball, or hockey game, boxing match or sporting contest, as a professional or amateur participant, who shall solicit or receive, directly or indirectly, any money or valuable thing, as a bribe, present or reward, to lose or cause the loss, or to attempt to lose or cause the loss, of such game, match or contest, by such person or by the team or side of such person, shall be guilty of a high misdemeanor, and punished

C. 2:114-15.
Soliciting a
bribe, penalty.

by a fine not exceeding five thousand dollars (\$5,000.00), or imprisonment at hard labor not exceeding seven years, or both.

3. This act shall take effect immediately.

Approved March 21, 1947.

CHAPTER 20

AN ACT to amend "An act concerning bribery and corruption in relation to officials acting, or intending to act, in connection with athletic or sporting contests, and supplementing subtitle thirteen of Title 2 of the Revised Statutes," approved March twenty-second, one thousand nine hundred and forty-six (P. L. 1946, c. 28).

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. 2:114-16.
Bribery a high
misdemeanor.

1. Any person who shall, directly or indirectly, give or promise to give, any money or valuable thing, as a bribe, present, or reward, to any person acting, or intending to act, as a referee, umpire, judge, timer, measurer or as an official for any purpose, for any amateur or professional athletic or sporting game, match, or contest, with intent to induce such person to act corruptly in making decisions, rulings, interpretations or adjudications or in the performance of his official duties in connection therewith, shall be guilty of a high misdemeanor, and punished by a fine not exceeding five thousand dollars (\$5,000.00), or imprisonment at hard labor not exceeding seven years, or both.

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

2. Any person acting, or intending to act, as a referee, umpire, judge, timer, measurer, or as an official for any purpose, for any amateur or professional athletic or sporting game, match, or contest, who shall solicit or receive, directly or indirectly, any money or valuable thing, as a bribe, present, or reward, to act corruptly in making any decision, ruling, interpretation or adjudication, or in any matter in the performance of his official duties in connection therewith, shall be guilty of a high misdemeanor, and punished by a fine not exceeding five thousand dollars (\$5,000.00), or imprisonment at hard labor not exceeding seven years, or both.

3. This act shall take effect immediately.

Approved March 21, 1947.

Section
amended.

C. 2:114-17.
Official guilty
of high
misdemeanor.

CHAPTER 21

AN ACT authorizing and empowering the Board of Trustees of the Teachers' Pension and Annuity Fund to transfer the sum of fifty thousand dollars (\$50,000.00) from its newly created Special Reserve Fund to its Expense Fund.

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

1. The Board of Trustees of the Teachers' Pension and Annuity Fund are hereby authorized and empowered to transfer the sum of fifty thousand dollars (\$50,000.00) from its newly created Special Reserve Fund to its Expense Fund.

2. This act shall take effect immediately.

Approved March 21, 1947.

Authorized to
transfer funds.

CHAPTER 22

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

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

Validates sale
of certain
lands.

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

Proviso.

2. This act shall take effect immediately.

Approved March 21, 1947.

CHAPTER 23

AN ACT to amend "An act to provide for temporary bonus for certain persons holding public office, position, or employment, whose compensation is paid by any county, municipality, school district, or other political subdivision of this State, or by any board, body, agency, or commission of any county, municipality, or school district of this State," approved December twenty-seventh, one thousand nine hundred and forty-one (P. L. 1941, c. 404), as said title was amended by chapter thirty-one of the laws of one thousand nine hundred and forty-three (P. L. 1943, c. 31).

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

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

Section
amended.

1. Every board of chosen freeholders, common council, governing body, board of education, board, body and officer by whatsoever name, of any county, municipality, school district, or other political subdivision of this State, now having the power or charged with the duty of paying, on behalf of such county, municipality, school district, or other political subdivision of this State, or of such board, body, agency, or commission of any county, municipality, or school district of this State, the salary or pay of persons holding office, position, or employment, shall have the right and power in the discretion of such body, board, or officer, to grant and order paid in monthly or other installments, to any persons holding such office, position, or employment, such sum, in addition to the regular salary or pay of such persons holding office, position, or employment, by way of bonus for the fiscal year in which

Authorized
to pay bonus.

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 where such annual rate of such usual or regular salary or pay is not in excess of seven hundred dollars (\$700.00) per annum, such bonus payments limitation shall be forty per centum (40%) of such regular salary or pay; *and provided*, that where such annual rate of such usual or regular salary or pay is not in excess of twelve hundred dollars (\$1,200.00) per annum, such bonus payments limitation shall be thirty per centum (30%) of such regular salary or pay; *and provided*, that where such annual rate of such usual or regular salary or pay is in excess of twelve hundred dollars (\$1,200.00), but not more than fifteen hundred dollars (\$1,500.00) per annum, such bonus payments limitation shall be twenty-five per centum (25%) of such regular salary or pay; *and provided*, that nothing in this act shall be held or construed to permit such body, board or officer to grant or order paid any such bonus to any member of such board, or body, or to himself, or to grant or pay any such bonus to any person whomsoever after the thirty-first day of December, one thousand nine hundred and forty-eight; *and provided further*, that no grant or payment of any bonus under this act shall be made to any such person if the regular annual rate of the usual or regular salary or pay of such person holding such office, position or employment is more than five thousand dollars (\$5,000.00) per annum; *and provided further*, that no person whose regular annual rate of the usual or regular salary or pay in such office, position or employment is more than three thousand dollars (\$3,000.00) shall receive any grant or payment of any bonus under this act greater in amount than that to which persons whose regular annual rate of the usual or regular salary or pay is three thousand dollars (\$3,000.00) would be entitled; *and*

provided, that the provisions of this act shall extend to State employees whose compensation is paid in full by such county, municipality, school district or other political subdivision of this State; *and provided further*, that no grant or payment of any bonus under this act shall be held or construed as an increase in the salary or pay of any person receiving the same; neither shall the cessation of any such bonus, or any part thereof, be held or construed to amount to a reduction in the salary or pay of any persons holding office, position, or employment, nor shall the amount of any such bonus be taken into consideration or included in any calculation respecting any amount to be paid into or out of any pension, retirement or other similar fund or in any similar connection.

Proviso.

Proviso.

Cessation of bonus not a reduction in salary.

Whenever the boards of chosen freeholders having joint control over any bridge over a navigable river between two or more counties are unable to agree upon granting or ordering paid any sums in addition to the regular salary or pay of joint bridge employees, employed on such bridges, by way of bonus, each such board of chosen freeholders shall have the right and power, in its discretion, to grant and order paid, to such of said employees as are residents of the county over which such board of chosen freeholders has jurisdiction, such sums in addition to their salary or pay, by way of bonus, as said board of chosen freeholders shall determine, in accordance with the provisions of the act to which this act is an amendment. For the purposes of computing the twenty per centum (20%) bonus limitation in the act to which this is an amendment, the total joint salary received by each such bridge employee from the two or more counties by which he is employed, shall be used as his regular annual rate of usual or regular salary or pay. In any county where the board of chosen freeholders has reserved from the one thousand nine hundred and forty-three appropriations, a sum sufficient therefor, it shall be lawful for such board to grant and order paid such sums by way of

Joint bridge employees.

Computing amount.

1943 bonus.

bonus for the fiscal year ending December thirty-first, one thousand nine hundred and forty-three.

2. This act shall take effect immediately.

Approved March 21, 1947.

CHAPTER 24

AN Act to validate and confirm deeds, mortgages, assignments of mortgages, discharges of mortgages, releases 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*:

Validates
certain
conveyances.

1. Any deed or deeds of conveyance, mortgage or mortgages, assignment or assignments of mortgages, discharge or discharges of mortgages, release or releases of mortgages, or postponement or postponements of mortgages, heretofore 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 nonpayment of State taxes at the time of the making of 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 corporate taxes due and owing at the time the charter of such corporation may have been forfeited are paid or an approved readjustment of said taxes has been paid

Proviso.

or that the charter of said corporation is reinstated.

2. This act shall take effect immediately.

Approved March 21, 1947.

CHAPTER 25

AN ACT concerning motor vehicles, 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*:

1. Section 39:3-40 of the Revised Statutes is amended to read as follows: Section amended.

39:3-40. No person to whom a driver's license has been refused or whose driver's license or reciprocity privilege has been suspended or revoked, or who has been prohibited from obtaining a driver's license, shall personally operate a motor vehicle during the period of refusal, suspension, revocation or prohibition. Prohibits operation.

No person whose motor vehicle registration has been revoked shall operate or permit the operation of such motor vehicle during the period of such revocation.

A person violating any provision of this section shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), or be imprisoned in the county jail for not more than ninety days, or both. Penalty.

2. This act shall take effect immediately.

Approved March 21, 1947.

CHAPTER 26

AN ACT to amend "An act concerning county parks, and supplementing chapter thirty-seven, Title 40, of the Revised Statutes," approved May third, one thousand nine hundred and forty-six (P. L. 1946, c. 279), as said title was amended by chapter three hundred and twenty of the laws of one thousand nine hundred and forty-six.

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

Section
amended.

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

C. 40:37-11.2.
Temporary
use of lands
for housing.

1. The county park commission in any county may contract with any municipality in such county, or with the Administrator of the Public Housing and Development Authority in the Department of Economic Development of the State of New Jersey or with both such municipality and said Administrator, for the temporary use and occupancy of any lands owned by or under the care, custody and control of such park commission for the purpose of constructing, operating and maintaining emergency housing and other dwelling facilities for veterans of World War II and other persons, upon such terms, subject to such conditions and in such manner as such park commission may deem proper or necessary for the preservation for park purposes of the lands of such county park commission, and as may be agreed upon between the contracting parties.

2. This act shall take effect immediately.

Approved March 24, 1947.

CHAPTER 27

AN ACT concerning investments in bonds secured by mortgage on leasehold of camp meeting associations, and amending section 17:2-1 of the Revised Statutes.

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

1. Section 17:2-1 of the Revised Statutes is amended to read as follows: Section amended.

17:2-1. All banks, trust companies, savings banks, savings and loan associations, building and loan associations, title and mortgage guaranty companies and insurance companies may invest funds in bonds, secured by first mortgage, on leasehold estates of real estate in this State of camp meeting associations, to the giving of which bond and mortgage the camp meeting association has consented, subject to the conditions of the lease. The real estate, except as to the leasehold, shall be free and clear of all liens and encumbrances of every kind whatsoever, and the leasehold at the time of the giving of the bond and mortgage shall have an unexpired term of not less than twenty-five years, and be a lease of the entire interest in the real estate except the reversion. No investment shall be made in excess of sixty per centum (60%) of the appraised value of the leasehold estate and the improvements thereon; *provided, however*, that such limitation shall not apply to any loan which is wholly or partially guaranteed or insured by the United States of America, the State of New Jersey or any instrumentality or agency of either. The appraisement may be made by a committee of the bank, trust company, savings bank, savings and loan association, building and loan association, title and mortgage guaranty company, insurance company, and, in the case of an individual, by two Investment in camp meeting associations.

Limitation.

Proviso.

persons appointed by the individual for that purpose. No such investment shall be made until the camp meeting association shall first have been approved for the purpose by the commissioner. For the purposes of this section real estate upon which there is a building in process of construction, which when completed, will constitute a permanent improvement, shall be construed as improved and productive real estate.

2. This act shall take effect immediately.

Approved March 27, 1947.

CHAPTER 28

AN ACT concerning the adoption of civil service by counties, municipalities and school districts, and amending section 11:20-1 of the Revised Statutes.

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

Section
amended.

1. Section 11:20-1 of the Revised Statutes is amended to read as follows:

Referendum
on adoption of
civil service.

11:20-1. When a petition is presented to the clerk of the governing body of a county or municipality, not operating under this subtitle, requesting that the question of the adoption of this subtitle be submitted to the voters thereof, the clerk shall, fifteen days thereafter, give public notice that the question will be submitted to the voters at the next general or municipal election, whichever shall first occur, and make public notice thereof by publication in one or more newspapers published in the county or municipality, if there be one published in the municipality, if not, then in one or more newspapers published in the county in which the municipality is located, to be designated by the clerk, once

a week for at least four weeks, and by posting such notice in five of the most public places in the county or municipality for at least four weeks before the election. The clerk shall also follow the procedure necessary to have the question submitted by the proper printing of the same upon the ballots to be used at the election.

2. This act shall take effect immediately.

Approved March 27, 1947.

CHAPTER 29

AN ACT validating conveyances of land heretofore made by any religious corporation or association.

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

1. All conveyances of land and premises heretofore made by any religious corporation or association are hereby validated, ratified, approved and confirmed; *provided*, the grantor received the consideration for said conveyance.

Validates
conveyances.

Proviso.

2. This act shall take effect immediately.

Approved March 27, 1947.

CHAPTER 30

AN Act to amend the title of "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," approved April fourteenth, one thousand nine hundred and forty-one (P. L. 1941, c. 43), so that the same shall read "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 sixty-five thousand according to the one thousand nine hundred and forty census, to make appropriations for junior colleges," and to amend the body of said act.

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

- Title amended.** 1. The title of "An act authorizing 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," approved April fourteenth, one thousand nine hundred and forty-one, is amended
- New title.** to read "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 sixty-five thousand according to the one thousand nine hundred and forty census, to make appropriations for junior colleges."

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

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 sixty-five 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.

Section
amended.

C. 40:23-8.2.
May make
appropriation
for junior
college.

3. This act shall take effect immediately.

Approved March 28, 1947.

CHAPTER 31

AN ACT concerning labor and workmen's compensation, and amending section 34:15-48 of the Revised Statutes.

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

1. Section 34:15-48 of the Revised Statutes is amended to read as follows:

Section
amended.

34:15-48. The commissioner and each deputy commissioner of compensation is hereby authorized and empowered when in his judgment it shall be advisable, to appoint a representative with power to act for a person who may be entitled to compensation, by legally receiving and disbursing said compensation under the direction of the commissioner or any deputy commissioner of compensation, when it shall appear that such person is mentally, legally or physically unable to properly receive or disburse said compensation, or when said person, after due diligence, cannot be located.

May appoint
representative

Whenever the person entitled to compensation is a minor child, and the commissioner or any deputy commissioner of compensation shall determine that there is no proper person available to receive and disburse said compensation for such child, then the State Board of Children's Guardians, as constituted by the provisions of chapter five, of Title Institutions and Agencies (§30:5-1 et seq.), may be appointed as the representative of such minor child.

2. This act shall take effect immediately.

Approved March 28, 1947.

CHAPTER 32

AN ACT to provide for the taking over by the Department of Conservation, Division of Navigation, of the yacht basin or anchorage on Sandy Hook bay at Leonardo, in the township of Middletown, county of Monmouth and State of New Jersey, and authorizing the improvement and extension and maintenance of the same by the Department of Conservation, Division of Navigation.

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

Authorized
to take over
yacht basin.

1. Under the provisions of the powers conferred by Title 12 of the Revised Statutes and in addition to the same, the Department of Conservation, Division of Navigation, be and they are hereby authorized, empowered and required to take over the yacht basin or anchorage on Sandy Hook bay at Leonardo, New Jersey, in the township of Middletown, in the county of Monmouth and State of New Jersey, and authorized and empowered to improve

and enlarge the same, maintain and operate the same as an anchorage area and waterway, and in connection therewith to acquire lands by gift, purchase, or condemnation, or otherwise, for the purpose of carrying this act into effect.

The said yacht basin or anchorage area shall be taken over as of July first, one thousand nine hundred and forty-eight. Date for taking over.

2. This act shall take effect immediately.

Approved March 31, 1947.

CHAPTER 33

AN ACT concerning certain municipalities, and amending section 40:46-26 of the Revised Statutes.

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

1. Section 40:46-26 of the Revised Statutes is amended to read as follows: Section amended.

40:46-26. The legal voters of any municipality may, by vote at a general election held in such municipality, fix and determine the salary or other compensation to be paid the members of the governing body. They may in the same manner fix the salary or other compensation to be paid the mayor, except in municipalities having a population of more than twenty thousand, in which municipalities the governing body shall fix the salary of the mayor by ordinance, and in cities of the fourth class in counties of the sixth class having councilmanic form of government the members of the governing body may, by ordinance, fix the compensation for each of the members thereof at a sum not to exceed five hundred dollars (\$500.00) per annum. In case the mayor of any municipality is Salaries of municipal officials.

re-elected to succeed himself after having served one full term in such office his salary may be increased not more than once during such term for which he is so re-elected.

Section not
to apply.

This section shall not apply to municipalities governed by the provisions of subtitle four (section 40:70-1 et seq.) or subtitle five (section 40:79-1 et seq.) of this Title or boroughs in counties of the fourth or of the sixth class.

2. This act shall take effect immediately.

Approved March 31, 1947.

CHAPTER 34

AN ACT concerning county hospitals and other county institutions and facilities in counties having a population in excess of four hundred thousand inhabitants, other than counties of the first class, for the care of sick, disabled, or aged persons, for the mentally ill, and for persons suffering from communicable diseases, including tuberculosis.

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

C. 30:9-12.1.
County
hospitals.

1. The board of chosen freeholders of any county having a population in excess of four hundred thousand inhabitants other than a county of the first class, may establish, erect and maintain a county hospital or hospitals for sick, disabled, or aged persons, for the mentally ill, and for persons suffering from communicable diseases, including tuberculosis, and for that purpose shall have power to:

Right of
eminent
domain.

Purchase and lease real property therefor or acquire such real property by condemnation pursu-

ant to the provisions of chapter one of Title 20 of the Revised Statutes (Eminent Domain §20:1-1 et seq.);

Erect all necessary buildings and make all necessary improvements, plans and alterations, the plans first to be approved by the State Department of Health;

Plans to be approved.

Appropriate money for the purchase of a site and for the construction or reconstruction of all necessary buildings, including the original furnishings and equipment therefor, and borrow funds therefor on the credit of the county and issue county obligations therefor in like manner as for other county purposes;

Appropriate funds.

Accept and hold in trust for the county any grant or devise of land or any gift or bequest of money or other personal property or any donation and apply the same in accordance with the terms of the gift.

Accept gifts.

2. The board of freeholders of any such county establishing and maintaining a county hospital or hospitals under authority of this act shall have power to appoint a board of seven managers from the citizens of the county, irrespective of religious or political belief, of whom at least three shall be practicing physicians. Three members shall be appointed for one year, two for two years and two for three years and their successors shall be appointed for the full term of three years except that an appointment to fill an unexpired term shall be for the remainder of the term. No physician member of the board of managers shall treat patients in said institution.

C. 30:9-12.2.
Board of managers.

Terms.

Failure of a member to attend three consecutive regular meetings of the board shall cause a vacancy in his office unless his absence be excused by formal action of the board. Members of the board of managers shall receive no compensation for services but shall be allowed their actual and necessary expenses to be audited and paid in the same manner as other expenses of the hospital, by the board of chosen freeholders. A member of the board of

Failure to attend meetings to cause vacancy.

No salary.

Removal.

managers may be removed by the board of chosen freeholders for cause after opportunity to be heard.

C. 30:9-12.3.
Organization.

3. The board of managers shall elect from its membership a president and one or more vice-presidents. It shall appoint a superintendent who shall hold office at the pleasure of the board. The superintendent shall not be a member of the board. The board of managers shall determine the amount of time the superintendent shall be required to spend at the hospital in the discharge of his duties.

Superin-
tendent.

C. 30:9-12.4.
Secretary.

4. The board of managers shall appoint a secretary and a custodian of funds. It shall also fix and determine the compensation, term of office, duties and powers of such appointees and remove them at pleasure.

C. 30:9-12.5.
Salaries.

5. The board of managers shall fix the salaries of the superintendent and other officers and employees subject to the approval of the board of chosen freeholders within the limitations of the appropriation made therefor, and such salaries shall be full compensation for all services rendered.

Powers and
duties—board
of managers.

The board of managers shall have the general superintendence, management and control of the hospital, its personnel and the patients and all matters relating to its government, discipline, contracts and fiscal concerns; shall make necessary rules and regulations; shall adopt by-laws; shall furnish such reports, estimates of appropriations and other information as may be required by the board of chosen freeholders; shall perform such other duties and enforce such other regulations as from time to time may be prescribed by the board of chosen freeholders.

C. 30:9-12.6.
Powers and
duties of
superintendent.

6. The superintendent shall be the chief executive officer of the hospital and subject to the rules, regulations and powers of the board of managers shall:

Have general supervision and control of the records, accounts and buildings of the hospital and its internal affairs, and maintain discipline and enforce all rules and regulations and make such further rules and regulations as he may deem

necessary consistent with law and the rules, regulations and directions of the board of managers;

With the consent of the board of managers appoint such resident officers and such employees as he may think proper and necessary for the efficient performance of the business of the hospital, and prescribe their duties, and for cause stated in writing after opportunity to be heard, discharge or suspend any officer or employee, subject to formal investigation by the board of managers;

Discharge any patient who shall willfully or habitually violate the rules or regulations of the institution, or who is for any reason no longer a suitable patient.

7. The admission of any person to a county hospital established under this act shall be subject to the regulations established by the board of managers and on application in writing signed by the patient or a person interested in the admission of the patient by reason of relationship or marriage, or by a person having the charge or care of such patient, or by the sheriff, or by the overseer of the poor or person charged with the care and relief of the poor, or by any chief of police or police captain in any municipality in the county where such person may be, or by the chief executive officer of any public or private charitable institution or hospital in which the patient may be. All application forms shall be approved by the board of managers for such hospital.

C. 30:9-12.7.
Admissions.

8. A county hospital or hospitals established under this act shall be devoted to the care and treatment of:

C. 30:9-12.8.
Scope of
treatment.

(a) persons suffering from communicable diseases, including tuberculosis;

(b) mentally ill persons;

(c) sick, disabled, or aged persons of the low-wage group, who are hereby defined to be those persons who are unable to pay prevailing semi-private hospital charges.

9. The board of managers shall designate an officer or employee of the institution who shall

C. 30:9-12.9.
Investigation
of patient.

be charged with the duty, upon the admission of a patient, of investigating the patient's circumstances and his ability to pay. If upon such investigation it appears that the patient or legally responsible relatives are able to pay for his care and maintenance, an order shall be made by such officer or employee that payment shall be made to the custodian of funds, of a specified charge in proportion to the financial ability of the patient or such relative. Such designated officer or employee shall have the same power to collect the charge specified from the estate of the patient or his relatives as is possessed by an overseer of the poor or director of welfare in like circumstances, including, but not limited to the right to create a lien against the real estate of such patient or his relatives. If the investigation shall disclose that the patient or his relatives are unable to pay, the cost shall become a charge upon the county. Should there be a dispute as to ability to pay or doubt in the mind of such officer or employee, the court of common pleas may hear the matter and make such order as is deemed to be proper.

C. 30:9-12.10.
Surety bonds.

10. The board of managers may in its discretion require any official or employee to give bond for the faithful performance of his duties and fix the amount of such bond. Where a surety company bond shall be given, the amount of the premium required thereon shall be paid as an expense of the hospital.

C. 30:9-12.11.
Special
policemen.

11. The board of managers may appoint and commission as many special policemen for such county hospital as it may deem necessary. Within such territory as shall be prescribed and for such time as shall be limited, any such policemen shall have the same powers as a constable of the county or police officer of the municipality or municipalities wherein such hospital shall be located. Such special policemen shall be charged with the duty of preserving order in and about the hospital and shall have power to arrest and hold any offender against the public peace within the limits of said territory.

12. No action at law shall lie or be maintained against any officer or employee or member of the board of managers for refusing to admit any person as a patient or for admitting, receiving, keeping, detaining, transferring or discharging any patient as provided by this act or as directed by any order made in accordance with this act, whether such person made his own application or the application was made by a friend or relative, or an order was made by a judge or court of the county or State, or any municipality thereof in any of which cases any such application or order, or certified copy thereof, shall be sufficient warrant and authority for the admission, keeping, detention, transfer, discharge and for the reasonable care, treatment, management and control of any patient received or committed under the terms of this act.

C. 30:9-12.12.
No action at law against official or employee.

13. The board of managers shall have power to abolish any office or employment which it shall find to be unnecessary, to combine and consolidate the functions of any office or employment as it may determine, to transfer officers and employees and to promote and reduce the same, subject to the provisions of the civil service law.

C. 30:9-12.13.
Abolishing and consolidation of offices.

14. The board of chosen freeholders in any such county governed by resolution may consolidate its county hospitals, homes for the aged, almshouses, psychiatric wards and other similar county agencies and facilities on suitable lands owned by the county and erect, enlarge, furnish and maintain suitable buildings thereon for such purpose. Upon the adoption of any such resolution such county hospitals, homes for the aged, almshouses, psychiatric wards and other similar county agencies and facilities shall be regulated by the provisions of this act and the terms of all members of boards of managers, superintendents, and other officers, not being civil service employees, shall cease. The rights of all persons having civil service status shall not be impaired by this act.

C. 30:9-12.14.
May consolidate county hospitals.

15. This act shall take effect immediately.

Approved March 31, 1947.

CHAPTER 35

AN ACT concerning unemployment compensation, and amending "An act concerning unemployment compensation, and supplementing chapter twenty-one of Title 43 of the Revised Statutes," approved April sixth, one thousand nine hundred and forty-four (P. L. 1944, c. 81), and sections 43:21-4, 43:21-7 and 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 43:21-4 of the Revised Statutes is amended to read as follows:

Benefit
eligibility
conditions:

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:

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(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.

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

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

(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;

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

(e) His wages within his base year were not less than one hundred fifty dollars (\$150.00).

2. Section 43:21-7 of the Revised Statutes is Section amended. amended to read as follows:

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 having individuals in his employ during such calendar year at the rates and on the basis hereinafter set forth, except that for the month of December, one thousand nine hundred and thirty-six, such contributions shall accrue and become payable with respect to having individuals in his employ 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. Contributions.

(2) In the payment of any contributions, a fractional part of a cent shall be disregarded unless it amounts to one-half cent (\$0.005) or more, in which case it shall be increased to one cent (\$0.01).

(b) Rate of contribution. Each employer shall pay the following contributions:

Proviso.

(1) Ten and eight-tenths per centum (10 $\frac{8}{10}\%$) of wages payable with respect to employment during the month of December, one thousand nine hundred and thirty-six and paid prior to January first, one thousand nine hundred and forty-seven; *provided*, that if the total of such contributions at such ten and eight-tenths per centum (10 $\frac{8}{10}\%$) rate equals less than nine-tenths of one per centum ($\frac{9}{10}$ of 1 %) of the annual payroll of any employer payable 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 ($\frac{9}{10}$ of 1 %) of his annual payroll payable for 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 $\frac{8}{10}\%$) 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 ($\frac{9}{10}$ of 1%) of such employer's annual payroll payable for the calendar year one thousand nine hundred and thirty-six.

Proviso.

(2) One and eight-tenths per centum (1 $\frac{8}{10}\%$) of wages payable with respect to employment during the calendar year one thousand nine hundred and thirty-seven and paid prior to January first, one thousand nine hundred and forty-seven;

(3) Two and seven-tenths per centum ($2\frac{7}{10}\%$) of wages payable 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 paid prior to January first, one thousand nine hundred and forty-seven; and, except as otherwise prescribed by subsection (c) of this section, also during the calendar years one thousand nine hundred and forty-two to one thousand nine hundred and forty-six, inclusive, and paid prior to January first, one thousand nine hundred and forty-seven; and

(4) For the calendar year one thousand nine hundred and forty-seven, and each calendar year thereafter, two and seven-tenths per centum ($2\frac{7}{10}\%$) of wages paid by him during each such calendar year, except as otherwise prescribed by subsection (c) of this section.

(5) The "wages" of any individual, with respect to any one employer as the term is used in this subsection (b) and in subsections (c) and (d) of this section 7, shall include:

(A) All remuneration payable for the month of December, one thousand nine hundred and thirty-six and for the calendar years one thousand nine hundred and thirty-seven, one thousand nine hundred and thirty-eight, one thousand nine hundred and thirty-nine, and paid prior to January first, one thousand nine hundred and forty-seven;

(B) The first three thousand dollars (\$3,000.00) earned for each of the calendar years one thousand nine hundred and forty to one thousand nine hundred and forty-six, inclusive, and paid prior to January first, one thousand nine hundred and forty-seven; and

(C) The first three thousand dollars (\$3,000.00) paid during the calendar year

Proviso.

one thousand nine hundred and forty-seven and during each calendar year thereafter, for services either within or without this State; *provided*, that no contribution shall be required by this State with respect to services performed in another State if such other State imposes contribution liability with respect thereto.

Construing.

(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 individuals in his service prior claims or rights to the amounts paid by him into the fund either on his own behalf or on behalf of such individuals. Benefits paid 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.

(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.

(3) Each employer's rate shall be two and seven-tenths per centum ($2\frac{7}{10}\%$), except as otherwise provided in the following provisions. No employer's rate shall be less than two and seven-

tenths per centum ($2\frac{7}{10}\%$) unless and until there shall have been three calendar years throughout which any individual in his employ could have received benefits if eligible.

(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:

(A) One and eight-tenths per centum ($1\frac{8}{10}\%$), if such excess equals or exceeds seven and one-half per centum ($7\frac{1}{2}\%$), 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 ($\frac{9}{10}$ 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 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 ($3\frac{6}{10}\%$).

(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 ($2\frac{7}{10}\%$), 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 ($1\frac{8}{10}\%$) unless such assets at such time were at least twice the total benefits paid from the fund within such last preceding year.

(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 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.

(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.

(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.

(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.

3. Section one of the act of which this act is amendatory is amended to read as follows:

Section
amended.

1. Any employee who is paid wages by two or more employers aggregating more than three thousand dollars (\$3,000.00) during the year one thousand nine hundred and forty-seven, or during any calendar year thereafter, shall be entitled to a refund of any amount of contribution deducted from such wages and paid to the commission in excess of the contribution required on three thousand dollars (\$3,000.00) of such wages paid. Refund under this act may be made in accordance with the provisions of law applicable in the case of erroneous or illegal collection of the contribution; except that no such refund shall be made unless the employee makes a claim, establishing his right thereto, within two years after the calendar year in which the wages are paid with respect to which

C. 43:21-14.1.
Employee
entitled
to refund.

refund of contribution is claimed. No interest shall be allowed or paid with respect to any such refund.

Section
amended.

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

Terms defined:

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 for employment during a calendar year ending with the calendar year one thousand nine hundred and forty-six which are paid prior to January first, one thousand nine hundred and forty-seven and in respect to the calendar year one thousand nine hundred and forty-seven and each calendar year thereafter means the total amount of wages paid during a calendar year (regardless of when earned) by an employer for employment.

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;

Benefit year;

(d) "Benefit year" with respect to any individual means the three hundred sixty-four consecutive calendar days beginning with the day on, or as of, which he first files a valid claim for benefits, and thereafter beginning with the day on, or as of, which the individual next files a valid claim for benefits after the termination of his last preceding benefit year. Any claim for benefits made in accordance with subsection (a) of section 43:21-6 of

this Title shall be deemed to be a "valid claim" for the purpose of this subsection if the individual has fulfilled the condition imposed by subsection (e) of section 43:21-4 of this Title.

(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 during which such individual is engaged in performing such employment; except that each such contractor or subcontractor who is an employer by reason of sub- Employing unit;

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

Proviso;

(h) "Employer" means:

Employer;

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

(2) Any employing unit which acquired the organization, trade or business, or substantially all the assets thereof, of another which at the time of such acquisition was an employer subject to this chapter;

(3) Any employing unit which acquired the organization, trade or business, or substantially all the assets thereof, of another employing unit and which, if treated as a single unit with such other employing unit, would be an employer under paragraph (1) of this subsection;

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

(5) Any employing unit which, having become an employer under paragraphs (1), (2), (3) or (4), has not, under section 43:21-8 of this Title, ceased to be an employer subject to this chapter; or

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

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

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

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

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

(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.

Proviso. (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.

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

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

(B) the service is performed both within and without such State, but the service performed without such State is incidental to the individual's service within the State, for example, is temporary or transitory in nature or consists of isolated transactions.

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

(A) such individual has been and will continue to be free from control or direction over

the performance of such service, both under his contract of service and in fact; and

(B) such service is either outside the usual course of the business for which such service is performed, or that such service is performed outside of all the places of business of the enterprise for which such service is performed; and

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

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

(A) Agricultural labor;

(B) Domestic service in a private home;

(C) Service performed by an individual in the employ of his son, daughter or spouse, and service performed by a child under the age of twenty-one in the employ of his father or mother;

(D) Service performed in the employ of this State or of any political subdivision thereof or of any instrumentality of this State or its political subdivisions;

(E) Service performed in the employ of any other State or its political subdivisions, or of the United States Government, or of an instrumentality of any other State or States or their political subdivisions or of the United States;

(F) Services performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, hospital, benevolent, philanthropic, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual;

(G) Services performed in the employ of fraternal beneficiary societies, orders, or associations operating under the lodge system or

for the exclusive benefit of the members of a fraternity itself operating under the lodge system and providing for the payment of life, sick, accident or other benefits to the members of such society, order, or association, or their dependents;

(H) Services performed as an officer or other employee of any building and loan association of this State, except where such services constitute the principal employment of the individual; services performed as an officer or other employee of any building and loan association where such association is a member of the Federal Home Loan Bank System; services performed as an officer or other employee of any bank which is a member of the Federal Reserve System;

(I) Service, performed after June thirtieth, one thousand nine hundred and thirty-nine, with respect to which unemployment compensation is payable under the Railroad Unemployment Insurance Act (52 Stat. 1094).

(J) Service performed by agents of insurance companies, exclusive of industrial life insurance agents, or by agents of investment companies, who are compensated wholly on a commission basis.

(K) Services performed by real estate salesmen or brokers who are compensated wholly on a commission basis.

(L) Services performed in the employ of any veterans' organization chartered by Act of Congress or of any auxiliary thereof, no part of the net earnings of which organization, or auxiliary thereof, inures to the benefit of any private shareholder or individual.

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.

(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 week.

(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.

(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. Unemployment compensation administration fund;

(o) "Wages" means remuneration payable by employers for employment prior to January first, one thousand nine hundred and forty-seven, and paid prior to such date; and means remuneration paid subsequent to December thirty-first, one thousand nine hundred and forty-six, by employers for employment; *provided, however*, that for eligibility and benefit purposes wages earned but not paid when the amount thereof has been calculated and is due as determined by the established and customary practices of the employer shall be construed as having been paid when earned. Wages; Proviso;

- Remuneration; (p) "Remuneration" means all compensation for personal services, including commissions and bonuses and the cash value of all compensation in any medium other than cash.
- Week; (q) "Week" means such period or periods of seven consecutive 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.
- 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'."
5. This act shall take effect immediately.
Approved March 31, 1947.

CHAPTER 36

AN ACT vesting the title to real estate of which Mary Bizub died seized and which is alleged to have escheated to the State of New Jersey in the year one thousand nine hundred and five, in Sophia Bizub.

Preamble. WHEREAS, Mary Bizub, late of the Town of Boonton, county of Morris and State of New Jersey, departed this life on the seventeenth day of November, one thousand nine hundred and five,

seized of an undivided one-half interest in that certain lot, tract or parcel of land and premises situate in the Town of Boonton, county of Morris and State of New Jersey, described as follows:

Beginning at a point in the southerly line of Pine street distant two hundred and fifty feet northeasterly from the east corner of Pine street and Birch street; thence (1) southeasterly at right angles to Pine street one hundred and eighteen feet to an alley way in common; thence (2) northeasterly and parallel to Pine street fifty feet; thence (3) northwesterly at right angles to the line of Pine street seventy feet, more or less, to the outside line of the Boonton Tract and a line of lands now belonging to William A. Righter; thence (4) southwesterly along the said outside line of the Boonton Tract fifty-two feet, more or less, to the point of beginning.

Description.

Together with all the right, title and interest of the said Mary Bizub to and including any lands to the retaining wall in front of said premises.

Being the same premises conveyed to Pavel Bizub and Mary Bizub, as tenants in common and not as joint tenants, by Andrew Mrasz and Mary Mrasz, his wife, by deed dated April 29, 1902, and recorded in the Morris County Clerk's Office on May 16, 1902, in Book X-16 of Deeds, pages 443, &c.; and

Preamble. WHEREAS, The said Mary Bizub 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 Sophia Bizub. 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 Mary Bizub, more particularly described in the preamble to this act, are hereby vested in Sophia Bizub, 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 April 2, 1947.

CHAPTER 37

AN ACT to provide for the payment of the cost of removing sunken or stranded boats, barges or scows from the navigable waters of this State, and amending section 12:4-7 of the Revised Statutes.

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

Section amended. 1. Section 12:4-7 of the Revised Statutes is amended to read as follows:

County to be reimbursed. 12:4-7. The cost of removing the sunken or stranded boat, barge or scow, with the incidental expenses and charges connected therewith, shall

be made up and certified by the board of chosen freeholders. Upon such certified account the county treasurer shall pay the same out of any money not otherwise appropriated and shall certify said account to the Division of Navigation of the Department of Conservation and when approved by the navigation council, the amount thereof shall be reimbursed to the county out of any funds appropriated to said department for said purposes out of the State treasury.

2. This act shall take effect immediately.

Approved April 2, 1947.

CHAPTER 38

AN ACT validating and confirming certain deeds conveying lands made by school districts.

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

1. Whenever any school district of this State acting in pursuance of any law of this State has sold and conveyed land and such sale has not been made in the manner required by law, but a deed has been given purporting to convey said lands, such deed shall be valid and effective to convey to the grantee named therein the right, title and interest of said school district in the lands described therein as fully and completely as if such sale had been made in all particulars in the manner required by law; *provided*, the consideration has been paid for the conveyance and the said grantee, his heirs or assigns have entered into possession of the said lands.

Validates
certain deeds
by school
district.

Proviso.

2. This act shall take effect immediately.

Approved April 2, 1947.

CHAPTER 39

AN ACT concerning county roads, and amending
section 27:16-54 of the Revised Statutes.

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

Section
amended.

1. Section 27:16-54 of the Revised Statutes is amended to read as follows:

Additional
method of
acquiring
property.

27:16-54. In addition to the method prescribed by sections 27:16-42 to 27:16-53 of this Title the board of chosen freeholders may acquire real estate or any interest therein for road or highway purposes in the manner hereinafter in sections 27:16-55 to 27:16-68 of this Title provided.

2. This act shall take effect immediately.

Approved April 2, 1947.

CHAPTER 40

AN ACT concerning township recorders, and amending
section 2:226-1 of the Revised Statutes.

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

Section
amended.

1. Section 2:226-1 of the Revised Statutes is amended to read as follows:

Recorder
appointment,
salary and fees.

2:226-1. The township committee of any township may, in its discretion, appoint a resident of the township or an attorney at law who is a resident of the county in which the township is located as recorder. He shall hold office for three years and shall receive such compensation as the governing body may fix by law, which shall be in lieu of all fees allowed by law in such cases. All fees

collected by the recorder shall be accounted for to the township committee and paid over to the township treasurer quarterly and as much oftener as the township committee may, by resolution, direct.

2. This act shall take effect immediately.

Approved April 2, 1947.

CHAPTER 41

AN ACT to amend "An act concerning district courts, and supplementing chapter eight of Title 2 of the Revised Statutes," approved May second, one thousand nine hundred and forty-five (P. L. 1945, c. 278).

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

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

Section
amended.

13. The president judge shall, on or before the fifteenth day of January of each year, make report of the business of said court for the preceding calendar year to the board of chosen freeholders of the county, which report shall include a financial statement and a report of the number of actions instituted in said court and the number of actions disposed of by entry of judgment or otherwise and shall include also any recommendations as to changes in the clerical force of said court which, in the opinion of said president judge, may be needed. Such recommendations and any other recommendation, which in the opinion of the president judge will improve the organization of said court and contribute to the more effective administration of justice in the court, may be made by said president judge to the board of chosen freeholders at any time.

C. 2:8-48.13.
Report.

Recom-
mendations.

2. This act shall take effect immediately.

Approved April 2 1947.

CHAPTER 42

AN ACT concerning certain employees of the Department of Economic Development, and supplementing subtitle two of Title 11 of the Revised Statutes.

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

Certification by
commissioner.

1. The Commissioner of the Department of Economic Development is hereby authorized to certify to the Civil Service Commission the names of all those employees now employed in the said department who were on July first, one thousand nine hundred and forty, in the employ of the State.

Civil service
to classify.

2. When the Commissioner of the Department of Economic Development has certified the names of the aforesaid employees, the Civil Service Commission shall classify the employees so certified in the competitive class of civil service, without examination, and such employees shall thereafter be subject to all the provisions of Title 11 of the Revised Statutes with respect to tenure, classification and compensation.

3. This act shall take effect immediately.

Approved April 2, 1947.

CHAPTER 43

AN ACT to facilitate the financing and effectuation of air terminals by the Port of New York Authority and agreeing with the State of New York with respect thereto.

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

1. Upon the concurrence of the State of New York as provided in section sixteen hereof, the States of New Jersey and New York declare and agree that each air terminal within the Port of New York District serves the entire district, and that the problem of furnishing proper and adequate air terminal facilities within the district is a regional and interstate problem, and that it is and shall be the policy of the two States to encourage the integration of such air terminals so far as practicable in a unified system.

C. 32:1-35.1.
Policy to
integrate air
terminals.

Accordingly, in furtherance of said policy and in partial effectuation of the Comprehensive Plan, heretofore adopted by the two States for the development of terminal and transportation facilities in the Port of New York District, the States of New Jersey and New York agree that the Port of New York Authority (hereinafter called the Port Authority) shall be authorized to effectuate, establish, acquire, construct, rehabilitate, improve, maintain and operate air terminals, as hereinafter defined, within the Port of New York District, and the two said States further agree that all cities and other State and local agencies shall be and they hereby are authorized to co-operate with the Port Authority in the development of air terminals, as hereinafter provided.

To further the
comprehensive
plan.

2. Nothing herein contained shall be construed to authorize the Port Authority to acquire any air terminal owned or operated by any city or other

C. 32:1-35.2.
Construing.

municipality or public authority, or any other property now or hereafter vested in or held by any city or other municipality or public authority, without the authority or consent of such city or other municipality or public authority, as provided in the Compact of April thirtieth, one thousand nine hundred and twenty-one, between the State of New Jersey and New York, nor shall anything herein impair or invalidate in any way any bonded indebtedness of the State, or any city or other municipality or public authority, nor impair the provisions of law regulating the payment into sinking funds of revenue derived from municipal property, or dedicating the revenues derived from municipal property to a specific purpose.

C. 32:1-35.3.
Terms defined:

3. The following terms as used herein shall mean:

Air terminals;

“Air terminals” shall mean developments consisting of runways, hangars, control towers, ramps, wharves, bulkheads, buildings, structures, parking areas, improvements, facilities or other real property necessary, convenient or desirable for the landing, taking off, accommodation and servicing of aircraft of all types, including but not limited to airplanes, airships, dirigibles, helicopters, gliders, amphibians, seaplanes, or any other contrivance now or hereafter used for the navigation of or flight in air or space, operated by carriers engaged in the transportation of passengers or cargo, or for the loading, unloading, interchange or transfer of such passengers or their baggage, or such cargo, or otherwise for the accommodation, use or convenience of such passengers, or such carriers or their employees (facilities and accommodations at sites removed from landing fields and other landing areas, however, to be limited to ticket stations and passenger stations for air passengers, to express and freight stations for air express and air freight, and to beacons and other aids to air navigation), or for the landing, taking off, accommodation and servicing of aircraft owned or operated by persons other than carriers.

“Air terminal bonds” shall mean bonds issued by the Port Authority for air terminal purposes.

Air terminal bonds;

“Air terminal purposes” shall mean the effectuation, establishment, acquisition, construction, rehabilitation, improvement, maintenance or operation of air terminals owned, leased or operated by the Port of New York Authority (including airports operated under revocable permits) or operated by others pursuant to agreements with the Port Authority.

Air terminal purposes;

“Bonds” shall mean bonds, notes, securities or other obligations or evidences of indebtedness.

Bonds;

“General Reserve Fund” shall mean the General Reserve Fund of the Port Authority authorized by chapter forty-eight of the laws of New York of one thousand nine hundred and thirty-one as amended, and chapter five of the laws of New Jersey of one thousand nine hundred and thirty-one, as amended.

General reserve fund;

“General Reserve Fund statutes” shall mean chapter forty-eight of the laws of New York of one thousand nine hundred and thirty-one as amended, and chapter five of the laws of New Jersey of one thousand nine hundred and thirty-one, as amended.

General reserve fund statutes;

“Municipality” shall mean a county, city, borough, village, township, town, public agency, public authority or political subdivision.

Municipality;

“Real property” shall mean lands, structures, franchises and interests in land, including air space and air rights, waters, lands under water and riparian rights, and any and all things and rights included within the said term, and includes not only fees simple absolute but also any and all lesser interests, including but not limited to easements, rights-of-way, uses, leases, licenses and all other incorporeal hereditaments and every estate, interest or right, legal or equitable, including terms for years and liens thereon by way of judgments, mortgages or otherwise.

Real property.

4. The effectuation, establishment, acquisition, construction, rehabilitation, improvement, maintenance and operation of air terminals by the Port

C. 32:1-35.4.
Regarded as government function.

Authority is and will be in all respects for the benefit of the people of the States of New York and New Jersey, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions; and the Port Authority shall be regarded as performing an essential governmental function in undertaking the effectuation, establishment, acquisition, construction, rehabilitation, improvement, maintenance or operation thereof, and in carrying out the provisions of law relating thereto.

C. 32:1-35.5.
Tax exempt.

May pay
towards cost
of government.

C. 32:1-35.6.
Security for
bonds.

5. The Port Authority shall be required to pay no taxes or assessments upon any of the property acquired or used by it for air terminal purposes; but this shall not be construed to prevent the Port Authority and municipalities from entering into agreements for the payment of fair and reasonable sums by the Port Authority annually in accordance with legislation heretofore adopted by the two States, to the end that such municipalities may not suffer undue loss of taxes and assessments by reason of the acquisition and ownership of property by the Port Authority for air terminal purposes.

6. The moneys in the General Reserve Fund of the Port Authority may be pledged in whole or in part by the Port Authority as security for or applied by it to the repayment with interest of any moneys which it may raise upon bonds issued by it from time to time to provide funds for air terminal purposes; and the moneys in said General Reserve Fund may be applied by the Port Authority to the fulfillment of any other undertakings which it may assume to or for the benefit of the holders of any such bonds.

Subject to prior liens and pledges (and to the obligation of the Port Authority to apply revenues to the maintenance of its General Reserve Fund in the amount prescribed by the General Reserve Fund Statutes), the revenues of the Port Authority from facilities established, constructed, acquired or effectuated through the issuance or sale of

bonds of the Port Authority secured by a pledge of its General Reserve Fund may be pledged in whole or in part as security for or applied by it to the repayment with interest of any moneys which it may raise upon bonds issued by it to provide funds for air terminal purposes, and said revenues may be applied by the Port Authority to the fulfillment of any other undertakings which it may assume to or for the benefit of the holders of such bonds.

7. The bonds issued by the Port Authority to provide funds for air terminal purposes are hereby made securities in which all State and municipal officers and bodies of both States, all banks, bankers, trust companies, savings banks, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all administrators, executors, guardians, trustees and other fiduciaries, and all other persons whatsoever, who are now or may hereafter be authorized by either State to invest in bonds or other obligations of such State, may properly and legally invest any funds, including capital, belonging to them or within their control; and said bonds are hereby made securities which may properly and legally be deposited with and shall be received by any State or municipal officer or agency of either State for any purpose for which the deposit of bonds or other obligations of such State is now or may hereafter be authorized.

C. 32:1-35.7.
Bonds legal
investments.

8. (a) Notwithstanding any contrary provision of law, every municipality in the Port of New York District is authorized and empowered to consent to the use by the Port Authority of any air terminal owned by such municipality or of any real or personal property owned by such municipality and necessary, convenient or desirable in the opinion of the Port Authority for air terminal purposes, including such real property as has already

C. 32:1-35.8.
Municipalities
authorized to
give consent.

been devoted to a public use, and as an incident to such consent, to grant, convey, lease, or otherwise transfer to the Port Authority any such air terminal or real or personal property. Every such municipality is also authorized and empowered as an incident to such consent to vest in the Port Authority the control, operation, maintenance, rents, tolls, charges and any and all other revenues of any air terminal now owned by such municipality, the title to such air terminal remaining in such municipality. Such consent shall be given and the execution of any agreement, deed, lease, conveyance, or other instrument evidencing such consent or given as an incident thereto shall be authorized in the manner provided in Article XXII of the Compact of April thirtieth, one thousand nine hundred and twenty-one, between the two States creating the Port Authority.

Form of
consent.

Consent by
outside
municipalities.

(b) Notwithstanding any contrary provision of law, every municipality outside the Port District is authorized and empowered to consent to the use of real property owned by such municipality and necessary, convenient or desirable in the opinion of the Port Authority for beacons or other aids to navigation, or to the use of any air space over real property owned by such municipality; and as an incident to such consent, to grant, lease, convey or otherwise transfer to the Port Authority such real property or air space.

Form of
consent.

Such consent shall be given and the execution of any agreement, deed, lease, conveyance or other instrument evidencing such consent or given as an incident thereto, shall be given by the officer, board or body authorized by law to convey such property, or if no officer, board or body be otherwise authorized so to do, by the governing body of such municipality.

States' consent
to suits.

(c) The States of New York and New Jersey hereby consent to suits against the Port Authority upon such agreement by any county, city, borough, village, township, municipality, public agency or authority for the recovery of any moneys agreed

to be paid by the Port Authority thereunder, and for such purpose only, and any judgment therein against the Port Authority shall be payable only from such funds as the Port Authority may have available for the payment of such judgment.

9. The powers hereinafter granted to the Port Authority to acquire real property by condemnation or the right of eminent domain shall be subject to the limitations set forth in section two hereof, and also to the following further limitations:

C. 32:1-35.9.
Limits powers
of eminent
domain.

(a) Unless and until the State of New York otherwise provides by law, the Port Authority shall not have power to acquire real property in that State for air terminal purposes by condemnation or the right of eminent domain except for the purpose of making additions, extensions and improvements to the three air terminals in New York City known as LaGuardia Airport, Idlewild Airport, (sometimes known as Major General Alexander E. Anderson Airport), and Floyd Bennett Airport, for the purpose of acquiring air rights or preventing or removing actual or potential hazards to air navigation within three miles of the runways at said air terminals as such runways may now or hereafter exist, and for the purpose of establishing or maintaining beacons and other aids to air navigation in connection with said three air terminals, whether or not within three miles of said runways.

(b) Unless and until the State of New Jersey otherwise provides by law, the Port Authority shall not have the power to acquire real property in the State of New Jersey for air terminal purposes by condemnation or the right of eminent domain except for the purpose of making additions, extensions and improvements to the air terminal known as Newark Airport (including additions, extensions and improvements thereto located in the city of Elizabeth), for the purpose of acquiring air rights or preventing or removing actual or potential hazards to air navigation within three miles of the runways at said air terminal as such runways may now or hereafter exist, and for the

purpose of establishing or maintaining beacons and other aids to air navigation in connection with said air terminal, whether or not within three miles of said runways.

Proviso. (c) Unless otherwise provided by law by the State in which such real property is located, the Port Authority shall not have power to acquire for air terminal purposes by condemnation or the right of eminent domain subsequent to June thirtieth, one thousand nine hundred and fifty-two, any real property taken for and actually devoted to a public use; *provided*, that this limitation shall not apply to real property a proceeding for the acquisition of which was initiated prior to that date.

Construing. The foregoing limitations shall not be construed to limit, affect or impair the power of the Port Authority to acquire real property at any time and place for air terminal purposes by negotiation or in any other manner than by condemnation or the exercise of the right of eminent domain.

Acquiring lands used for public use. Subject to the foregoing limitations, if the Port Authority shall find it necessary or convenient to acquire any real property for air terminal purposes, whether for immediate or future use, the Port Authority may find and determine that such property, whether a fee simple absolute or a lesser interest, is required for a public use, and upon such determination the said property shall be and shall be deemed to be required for such public use until otherwise determined by the Port Authority, and such determination shall not be affected by the fact that such property has theretofore been taken for and is then devoted to a public use; but the public use in the hands or under the control of the Port Authority shall be deemed superior to the public use in the hands of any other person, association or corporation. The Port Authority may acquire and is hereby authorized to acquire such property, whether a fee simple absolute or a lesser estate, by condemnation or the exercise of the right of eminent domain under and pursuant to the con-

demnation law of the State of New York, in the case of property located in such State, and Revised Statutes of New Jersey, Title 20:1-1 et seq., in the case of property situated in such State, or at the option of the Port Authority pursuant to such other and alternate procedure in each State as may be provided by law by such State. The Port Authority shall have such power of condemnation or eminent domain not only in respect to real property located within the Port of New York District but also as to any real property located outside of the Port District which is necessary, incidental or convenient for the effectuation, establishment, acquisition, construction, rehabilitation or improvement, and maintenance and operation of air terminals within the Port District. Nothing herein contained shall be construed to prevent the Port Authority from bringing any proceedings to remove a cloud on title or such other proceedings as it may, in its discretion, deem proper and necessary, or acquiring any such property by negotiation or purchase.

Construing.

In the event the Port Authority shall deem that the use by it of any real property for any purpose hereunder will be necessary either immediately or by a definite future date, it may file with any petition in any condemnation proceeding brought pursuant to law or at any time thereafter a notice that it requires the possession thereof, either immediately or at a date specified in such notice. In such event, the Port Authority shall cause a duplicate of such notice and an affidavit of the filing thereof to be recorded in the office in which deeds are required to be recorded in the county wherein the land involved is situated and upon such recording the Port Authority may enter upon and shall be entitled to the possession, use and occupation of such real property at the time specified in said notice without suit or other judicial proceedings; *provided*, that it shall first deposit with the court a sum equal to the assessed valuation of such real property, or in the event that the assessed valua-

Possession upon filing of petition and notice.

Recording.

Proviso.

tion thereof cannot be readily ascertained such sum as in the judgment of the Port Authority shall be sufficient as compensation for the real property acquired. The sum so deposited with the court shall be applied to the satisfaction of any award thereafter made in any condemnation proceeding. Such filing and recording of said notice shall be conclusive evidence of the entry upon and appropriation of said property by the Port Authority, and title to said property shall vest in the Port Authority on the date specified in such notice.

C. 32:1-35.10.
Federal aid.

Proviso.

10. The Port Authority may make application directly to the proper Federal officials or Agencies for Federal loans or grants in aid of air terminals owned or operated by it; *provided*, that if either State shall have or adopt general legislation governing applications for Federal aid for air terminals by municipalities of such State, or the receipt or disbursement of such Federal aid by or on behalf of such municipalities, then such legislation shall at the option of such State apply to applications by the Port Authority for Federal aid for air terminals located in such State and to the receipt and disbursement of such Federal aid by or on behalf of the Port Authority, in the same manner and to the same extent as other municipalities of such State. Except as above provided, no agency or commission of either State shall have jurisdiction over any air terminals under the control of the Port Authority, and all details of financing, construction, leasing, charges, rates, tolls, contracts and the operation of air terminals owned or controlled by the Port Authority shall be within its sole discretion and its decision in connection with any and all matters concerning such air terminals shall be controlling and conclusive.

C. 32:1-35.11.
Acquiring
unappropriated
State lands
under water.

11. In the event that the Port Authority shall find it necessary or desirable to acquire any unappropriated State lands or lands under water in the State of New York for air terminal purposes, the Board of Commissioners of the Land Office of that State may grant, transfer or convey such un-

appropriated State lands or lands under water to the Port Authority upon such consideration, terms and conditions as may be determined by said board.

In the event that the Port Authority shall find it necessary or desirable to acquire any lands under water in the State of New Jersey for air terminal purposes, the Division of Navigation of the Department of Conservation of that State may grant, transfer or convey such lands under water to the Port Authority in accordance with the statutes of that State governing the making of riparian grants and leases, upon such terms and conditions as may be determined by said division.

In the event that the Port Authority shall find it necessary or desirable to acquire any real property required or used for State highway purposes in the State of New Jersey, the State Highway Department of the State of New Jersey may grant, transfer or convey such real property to the Port Authority upon such terms and conditions as may be determined by said State Highway Department.

Acquire lands intended for highway purposes.

12. The two States covenant and agree with each other and with the holders of any bonds of the Port Authority issued or incurred for air terminal purposes and as security for which there may or shall be pledged (directly or indirectly, or through the medium of its General Reserve Fund or otherwise), the revenues, or any part thereof, of any air terminal or other facility owned or operated by the Port Authority, that the two States will not, so long as any of such bonds or other obligations remain outstanding and unpaid, diminish or impair the power of the Port Authority to establish, levy and collect landing fees, charges, rents, tolls or other fees in connection therewith.

C. 32:1-35.12.
States agree not to impair powers of authority.

13. Any declarations contained herein and in the concurrent act of the State of New York with respect to the governmental nature of air terminals and to the exemption of air terminal property from taxation and to the discretion of the Port Authority with respect to air terminal operations shall not be construed to imply that other Port Author-

C. 32:1-35.13.
Construing as to tax exemption.

ity property and operations are not of a governmental nature, or that they are subject to taxation, or that the determinations of the Port Authority with respect thereto are not conclusive.

C. 32:1-35.14.
Construed
to effectuate
compact and
plan.

14. This section and the preceding sections hereof constitute an agreement between the States of New York and New Jersey supplementary to the compact between the two States dated April thirtieth, one thousand nine hundred and twenty-one, and amendatory thereof, and shall be liberally construed to effectuate the purposes of said compact and of the comprehensive plan heretofore adopted by the two States, and the powers vested in the Port Authority hereby shall be construed to be in aid of and supplemental to and not in limitation of or in derogation of any of the powers heretofore conferred upon or delegated to the Port Authority.

C. 32:1-35.15.
Exercising
right of
eminent
domain:

15. The Port Authority may exercise the right of eminent domain or condemnation to acquire real property for air terminal purposes as set forth in this section:

Terms defined;

(a) As used in this section, unless otherwise expressly stated or unless context or subject matter otherwise requires, the following terms shall mean:

(1) "Days": Calendar days exclusive of Sundays and full legal holidays.

(2) "Owner": A person having an estate, interest or easement in the real property being acquired or a lien, charge or encumbrance thereon.

Real property;

(b) Whenever the Port Authority shall determine that it is necessary to acquire real property for air terminal purposes for the public use by the exercise of the right of eminent domain or condemnation, it shall prepare three similar surveys, diagrams, maps, plans or profiles of the real property being acquired, stating thereon that the Port Authority has determined that it is necessary to acquire said property, and the amount or valua-

tion at which each parcel of real property to be acquired has been assessed for purposes of taxation on the tax rolls for each of the three years preceding, and if the interest being taken shall be less than the fee, the estimated value of such interest; one of such surveys, diagrams, maps, plans or profiles shall be filed in the office of the secretary of the Port Authority, the second shall be filed in the office in which instruments affecting real property are required to be recorded, in the county in which such real property is situated, and the third copy shall be filed in the office of the Clerk of the Supreme Court; and it shall file in the office of the clerk of the county where the real property to be acquired or any part thereof is situated a notice of the pendency of a proceeding for the acquisition of such property. Such notice shall briefly state the object of the proceeding and shall contain a brief description of the real property being acquired thereby. It shall also state the names of such of the owners of such real property as may be known to the Port Authority, and in case any of the owners are unknown, a statement to that effect shall be made in such notice. Such notice, from the time of filing, shall be constructive notice to a purchaser or encumbrancer of the real property affected thereby from or against any person interested as owner with respect to whom the notice is directed to be indexed.

Form of
notice;

It shall be lawful for the duly authorized agents of the Port Authority, and all persons acting under its authority and by its direction, to enter in the daytime into and upon such real property which it shall be necessary so to enter, for the purpose of making such surveys, diagrams, maps or plans, or for the purpose of making such soundings or borings as the Port Authority may deem necessary.

Right of
entry;

(c) Whenever any land or other property taken for public use shall lie or be in two or more counties, all reports, petitions, orders and other papers required to be filed shall be filed in the clerk's office of the county in which the greater part in value

Property in
two or more
counties;

of the land or other property is situate and a certified copy thereof shall be filed and recorded in the clerk's office of the other county or counties. The commissioners, if any be designated, shall be residents of the county in which the greater part in value of the land or other property is situate.

Advertising;

(d) Upon the filing of the lis pendens, the Port Authority shall cause notice by advertisement to be published on one day in each of four successive weeks in a newspaper published and of general circulation in the county in which the real property to be acquired is located, of its intention to make application to one of the justices of the Supreme Court, at a time and place to be stated in such notice, to have the compensation which should justly be made to the respective owners of the real property proposed to be taken, ascertained and determined by the justice. Such notice shall indicate the real property to be taken by a general description and by reference to the map on file in the office of the Port Authority, in the office in which instruments affecting real property are required to be recorded, and in the office of the Clerk of the Supreme Court.

Notice to owner;

(e) In addition to the provisions contained in subdivision (d) above, written notice of the application shall be given by the Port Authority to the owners of all property affected by the proceeding at least ten days prior to such application, by mailing the same to such owners at the address registered or filed with the collector of taxes for the purpose of forwarding to them bills for taxes or assessments. Such notice shall state the purpose for which the property is to be acquired and the date when such application will be presented and shall contain a copy of such application. Failure to comply with the directions contained in this subdivision shall not invalidate or affect the proceeding.

(f) Upon the application to condemn, the Port Authority shall present to the justice a verified petition setting forth:

Contents of
petition;

(1) The action had by the Board of Commissioners of the Port Authority with reference to the proceeding;

(2) The real property to be acquired therein by setting forth a specific description thereof, and its location with reasonable certainty and by reference to the map on file in the office of the Port Authority, in the office in which instruments affecting real property are required to be recorded, and in the office of the Clerk of the Supreme Court, a copy of which shall be attached to the petition;

(3) The amount of valuation at which each parcel of the real property to be acquired has been assessed for purposes of taxation on the tax rolls for each of the three years preceding the date of the petition, or if the interests being taken shall be less than the fee, the estimated value of such interest;

(4) A prayer that the real property described therein be condemned.

(g) At the time and place mentioned in the notice published pursuant to subdivision (d) hereof, unless the justice shall adjourn the application to a subsequent day, and in that event, at the time and place to which such application may be adjourned, upon due proof to his satisfaction of the publication and mailing of such notice and upon filing such petition, the justice shall enter an order granting the application, which order shall be filed in the office of the Clerk of the Supreme Court. The Port Authority shall, within ten days after the entry of such order, cause a certified copy thereof to be recorded in the office where instruments affecting real property are required to be recorded, in every county in which any part of the real property affected is situated, in the same manner as

Order granting
application;

deeds are recorded, and the register of deeds or county clerk with whom such certified copy shall be recorded, shall index the same in the same manner as recorded deeds are indexed.

Order
published;

(h) The Port Authority, after the filing of the order granting the application to condemn, shall cause to be published on one day in each of four successive weeks in a newspaper published and of general circulation in the county in which the real property to be acquired is located, a notice containing a general description of the real property to be acquired, a statement that such order has been filed and requiring that all owners of such real property shall, on or before a date specified in the order granting the application, file in the office of the Clerk of the Supreme Court, a written claim or demand, duly verified, setting forth the real property owned by the claimant, his post-office address, and the nature of his interest in said real property. The claimant shall within the same time serve on the Port Authority a copy of such verified claim.

Owner to file
claim;

Proof of title
submitted;

(i) Proof of title to the real property to be acquired, where the same is undisputed, together with proof of liens or encumbrances thereon, shall be submitted by the claimant to the Port Authority. The Port Authority shall serve upon all parties or their attorneys who have served upon it copies of their verified claims, a notice of the time and place at which it will receive such proof of title. Where the title of the claimant is disputed, such dispute shall not act as a stay of the proceeding to determine the value of the property to be taken, but the proceeding shall continue in the same manner as it would if there were no dispute as to the title, and the award, if any, shall be paid into the Court of Chancery by order of the Chancellor, and shall there be distributed, according to law, on the application of any person interested therein. Written notice given to the owner or owners and to persons interested that such moneys have been so paid into court shall have the same effect as if the moneys

Not to act as
a stay to
proceedings;

Notice of
payment
into court;

so awarded had been actually tendered to the owner or persons entitled thereto. Notice by advertisement in such manner as the Chancellor shall direct shall be deemed sufficient notice.

(j) After all parties who have filed verified claims, as provided in subdivision (h) hereof, have proved their titles, or have failed to do so after being notified by the Port Authority of the time and place where such proof of title would be received, the Port Authority shall apply to a justice of the Supreme Court for leave to bring on before him upon a day to be fixed by said justice a hearing upon the claim so filed, or in case no claims are filed, to fix the amount to be paid for such lands.

Procedure upon failure to file claim;

In order to advise the said justice, he may appoint three commissioners to view said lands, and to advise him what damages, if any, should be assessed for the taking of such lands. The commissioners shall proceed under such directions and rules as shall from time to time be fixed by the said justice to view the lands, to hear such evidence as they may desire, and to fix such sum, if any, that in their judgment will represent the fair value of the lands so taken. The said justice may review such findings and shall not be bound thereby, but may alter or reject such findings in such manner as will, in his judgment, fairly protect the interests of the parties, and such review may be made either with or without further hearing. The commissioners so appointed to advise said justice shall make their report to him within one hundred days from the date of their qualification.

Commissioners.

May review findings.

Report.

After said justice shall have ascertained and estimated the compensation which should justly be made by the Port Authority to the respective owners of the real property being acquired, he shall then order that judgment be entered in the amount so determined.

Entry of judgment.

(k) It shall be the duty of the justice, or the commissioners designated by him, to view the real property to be acquired. Where title to real property being acquired in a proceeding shall have been

Property to be viewed;

vested in the Port Authority, and buildings or improvements situated thereon shall have been removed or destroyed by the Port Authority or pursuant to its authority prior to the proceeding, and whereby the justice is, or the commissioners are, deprived of a view of the buildings or improvements so removed or destroyed, the fact that the justice has not had, or the commissioners have not had a view thereof, shall not preclude the justice or the commissioners from receiving in the proceeding, testimony and evidence as to the damage sustained by the claimant by reason of the taking thereof, when offered on behalf of either the claimant or the Port Authority.

Certain
evidence not
admitted;

(l) No evidence shall be admitted in the proceeding, as against an owner of real property being acquired, of an offer made by or on behalf of such owner for the sale of his property or any part thereof to the Port Authority, or for the sale or assignment of any right and title to the award or awards, or any part thereof, to be made for such property or any part thereof, in the proceeding; nor shall any evidence be received, as against the Port Authority, of any offer made to such owner, by or on its behalf, for the purchase of such property or any part thereof or for the purchase of the award or awards or any part thereof, to be made for such property, or any part thereof, in the proceeding.

Information
furnished
justice;

(m) The Port Authority shall furnish to the justice such surveys, diagrams, maps, plans and profiles as the justice shall require, to enable the justice to hear and determine the claims of the owners of the real property affected by the proceeding. Such surveys, diagrams, maps, plans and profiles shall distinctly indicate by separate numbers, the names of the claimants to, or of the owners of the respective parcels of real property to be taken in such proceeding, so far as the same are known, and shall also specify in figures with sufficient accuracy the dimensions and bounds of such real property.. Where possible, such real

property shall be designated on such maps by the same ward or block and lot numbers or other designations as shall be used to designate such real property on the tax books and tax maps of the taxing agency in which it is located. The justice may require the Port Authority to furnish such other surveys, diagrams, maps, plans and profiles and such other information as shall aid and assist the justice in the proceeding.

(n) The Port Authority, or any party or person affected by the proceeding and aggrieved by the judgment made therein as to awards may petition the Supreme Court or a justice thereof for a writ of certiorari to review the proceeding in accordance with the provisions contained in chapter eighty-one of Title 2 of the Revised Statutes. If the judgment entered in the proceeding to condemn should be reversed upon any subsequent review, such reversal shall not divest the Port Authority of title to the real property thereby affected.

Petition for review;

(o) All damages awarded by the justice, with interest thereon from the date of the filing of the judgment, or if the title to the real property acquired shall have vested in the Port Authority prior thereto, from the date of such vesting, shall be paid by the Port Authority to the respective owners to whom the damages were awarded in the judgment, within two calendar months after the entry of the judgment, without further order of the court, or application for such payment by said owners. Property owners appearing in the proceeding shall not be entitled to recover counsel fees, costs, disbursements or allowances. Any outstanding taxes, assessments or other liens shall be deducted from the amount of the award and no interest shall be paid by the Port Authority upon the sum or sums so deducted. Payment of an award to a person named in the judgment as the owner thereof, if not under legal disability, shall in the absence of notice in writing to the Port Authority of adverse claims thereto protect the Port Authority and shall be a full acquittance and release of all claims to said award.

Payment of damages awarded;

Amount
assessed paid
into court of
chancery;

In case there shall be a dispute as to title, or the party entitled to receive the amount assessed by the justice shall refuse upon tender thereof to receive the same, or shall be out of the State or under any legal disability, or in case several parties being interested in the fund shall not agree as to the distribution thereof, or in case the lands or other property taken are encumbered by mortgage, judgment or other lien, or if for any other reason the Port Authority cannot safely pay the amount awarded to any person, in all such cases, on petition to the Chancellor, to which shall be annexed a copy of the petition in condemnation and of the findings of the justice or commissioners, if there be any, the amount awarded may be paid into the Court of Chancery by order of the Chancellor, and shall there be distributed according to law, on the application of any person interested therein. Written notice given to the owner or owners and to persons interested that such moneys have been so paid into court shall have the same effect as if the moneys so awarded had been actually tendered to the owner or persons entitled thereto. Notice by advertisement in such manner as the Chancellor shall direct shall be deemed sufficient notice.

Advance
payment
before final
judgment;

Proviso;

(p) The Port Authority may pay to the person entitled to an award for real property acquired in a proceeding, in advance of the final judgment, a sum to be determined by the Port Authority, not exceeding sixty per centum (60%) of the assessed value of the real property taken less the liens and encumbrances of record thereon; *provided*, that when the real property taken shall be less than the fee, then such sum shall not exceed sixty per centum (60%) of the amount set forth in the petition as the estimated value of such interest, less the liens and encumbrances thereon. If the Port Authority shall make a partial payment in advance either pursuant to this subsection or pursuant to section nine hereof, interest on the sum so paid in advance shall cease to run on and after a date five days after such person shall have been notified

by mail or otherwise that the Port Authority is ready to pay the same. In case the person entitled to an award at the date of the vesting of title to the real property in the Port Authority shall have transferred or assigned his claim, such transfer or assignment made by him, or by his successor in interest or legal representative, shall not become binding upon the Port Authority unless the instrument or instruments evidencing such transfer or assignment shall have been filed in the office of the Port Authority prior to any such advance payment. When any such advance payment shall have been made, the Port Authority, on paying the awards for the real property acquired, shall deduct from the total amount allowed as compensation the sum advanced plus interest thereon from the date of the payment of such advance to the date of the final judgment, and the balance shall be paid as hereinbefore provided in subdivision (o) hereof.

(q) In any proceeding hereunder, in which title to the real property to be acquired shall have become vested in the Port Authority prior to the entry of final judgment, the Port Authority shall have power and is hereby authorized to purchase from the owners of such real property at the date of the vesting of title thereto, or their successors in interest or legal representatives, their right and title to the award or awards, or any part thereof, to be made in such proceeding and to take an assignment thereof to the Port Authority.

May take
assignment
of award;

(r) No pledge, sale, transfer or assignment of an award by the person entitled to receive the same by virtue of the judgment or by other order of the justice, shall be valid unless the instrument evidencing such pledge, sale, transfer or assignment shall be acknowledged or proved as instruments are required to be acknowledged or proved for the recording of transfers of real property and shall be filed in the office of the Port of New York Authority. Every such instrument not so filed shall be void as against any subsequent pledgee or assignee in good faith and for a valuable considera-

Pledges or
assignment
not valid unless
recorded;

tion from the same pledgor or assignor, his heirs, administrators or assigns, of the same award or any portion thereof, the assignment of which is first duly filed in the office of the Port Authority. The Port Authority shall maintain in its office a record of all pledges or assignments filed with it under the provisions hereof.

Justice may
correct defect
upon notice;

(s) The justice at any time may correct any defect or informality in any notice, petition, pleading, order or judgment in the proceeding, or cause real property affected by such defect, informality or lack of jurisdiction to be excluded therefrom or any other real property affected by such defect, informality or lack of jurisdiction to be included therein by amendment upon ten days' notice published as provided for the institution of the proceeding and may direct such further notices to be given to any party in interest as it shall deem proper.

May abandon
proceedings;

(t) The Board of Commissioners of the Port Authority by resolution may abandon any proceeding as to the whole or a part of the lands to be acquired in such proceeding, at any time before title to the real property to be thereby acquired shall have vested in the Port Authority, and may cause new proceedings to be taken for the condemnation of such real property. In case of such abandonment, however, the reasonable actual cash disbursements, necessarily incurred and made in good faith by any party interested, shall be paid by the Port Authority, after the same shall have been taxed by a justice of the Supreme Court, upon ten days' notice of such taxation being previously given to the Port Authority, provided the application to have such disbursements taxed shall be made and presented to the justice within one year after the adoption of the resolution of the Board discontinuing the proceeding in whole or in part. For the purposes of this section, the fair and reasonable value of the services of an attorney retained by any interested party to represent his interests in said condemnation proceeding, whether

on a contingent fee basis or otherwise, if such retainer be made in good faith, shall be deemed to be an actual cash disbursement, necessarily incurred by such interested party and shall be taxable in the same manner as other disbursements. The amounts taxed as disbursements shall be due and payable thirty days after written demand for payment thereof shall have been filed with the Port Authority.

(u) The title to any piece or parcel of the real property, or any interest therein, authorized to be acquired hereunder shall be vested in the Port Authority upon the entry of the order granting the application to condemn. The Port Authority, however, may direct that the title shall be vested in the Port Authority upon a specified date after the date of the entry of the order granting the application to condemn, or upon the date of the filing of the final judgment, but not later than the date of the filing of the final judgment. Upon the date when title to the real property shall have vested as herein provided, the Port Authority shall become and be seized in fee of or of an easement in, over, above, through, upon or under such real property or such other interest therein as may have been specified, the same to be held, appropriated, converted and used for the purposes for which the proceeding was instituted. The Port Authority or any person acting under its authority shall immediately or at any time thereafter take possession of such property without suit or other judicial proceedings.

Title vested;

To take possession of property;

(v) Where the whole of any lot or parcel of real property, under lease or other contract, shall be taken, all the covenants, contracts and engagements between landlord and tenant and other contracting parties touching the same or any part thereof, upon the vesting of title in the Port Authority, shall cease and determine and be absolutely discharged. Where a part only of any lot or parcel of real property so under lease or other contract shall be so taken, all contracts and engage-

Covenants under lease to terminate.

ments respecting the same, upon such vesting of title, shall cease and determine and be absolutely discharged as to the part thereof so taken, but shall remain valid and obligatory as to the residue thereof. All tenants in possession of such premises at the time of the vesting of title thereto in the Port Authority shall become tenants at will of the Port Authority unless within ten days after the vesting of title they shall elect to vacate and give up their respective holdings.

C. 32:1-35.16.
Construing as
to Federal aid.

16. The State of New Jersey hereby elects to exercise the option reserved to each State by section ten of this act (and by the corresponding section of the New York statute concurring herein); and accordingly, if by the effective date of this act, this State has adopted, or if thereafter it shall adopt general legislation governing applications for Federal aid for air terminals by municipalities of this State or the receipt or disbursement of such Federal aid by or on behalf of such municipalities, such legislation shall apply to applications by the Port Authority for Federal aid for air terminals located in this State in the same manner and to the same extent as other municipalities of this State; *provided*, that if such legislation shall require such applications for Federal aid to be approved by any officer, board, commission, department or other agency of this State or shall require the consent of any such agency of this State to the submission thereof to the Federal Government, or shall require any such agency of this State to be designated by municipalities as their agent to collect or disburse such Federal aid, or shall contain any other requirement vesting any such agency of this State with power or discretion with respect to the making of such applications for Federal aid or the receipt or disbursement thereof, then such officer, board, commission, department or other agency of this State shall have power to waive such requirement in whole or in part temporarily or permanently insofar as the Port Authority is concerned.

Proviso.

17. This act shall take effect upon the enactment into law by the State of New York of legislation having an identical effect with sections one to fourteen, inclusive, of this act; but if the State of New York shall have already enacted such legislation, then this act shall take effect immediately.

C. 32:1-35.17.
Act effective.

Approved April 2, 1947.

CHAPTER 44

AN ACT to facilitate the development by the Port of New York Authority of marine terminals, and agreeing with the State of New York with respect thereto.

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

1. Upon the concurrence of the State of New York as provided in section nine hereof, the States of New Jersey and New York hereby agree that municipalities, as hereinafter defined, located in the State of New Jersey and within the Port of New York District shall be and they hereby are authorized to co-operate with the Port of New York Authority (hereinafter called the Port Authority) in the development of marine terminals, and the two said States further agree that the State of New Jersey may authorize the Port Authority to acquire by condemnation or the exercise of the right of eminent domain real property in the State of New Jersey necessary, convenient or desirable for marine terminal purposes, under and pursuant to the Revised Statutes of New Jersey, Title 20:1-1, et seq., or at the option of the Port Authority, pursuant to such other or alternate procedure as may be provided by law by such State.

C. 32:1-35.28.
Municipalities
authorized
to co-operate.

2. Nothing herein contained shall be construed to authorize the Port Authority to acquire any marine terminal owned or operated by any munici-

C. 32:1-35.29.
Construing.

pality or any other property now or hereafter vested in or held by any municipality, without the authority or consent of such municipality as provided in the compact of April thirtieth, one thousand nine hundred and twenty-one, between the States of New Jersey and New York, nor shall anything herein impair or invalidate in any way any bonded indebtedness of the State, or any municipality, nor impair the provisions of law regulating the payment into sinking funds of revenue derived from municipal property, or dedicating the revenues derived from municipal property to a specific purpose.

C. 32:1-35,30.

3. The following terms as used herein shall mean:

Terms defined.

“Marine terminals” shall mean developments, consisting of one or more piers, wharves, docks, bulkheads, slips, basins, vehicular roadways, railroad connections, side tracks, sidings or other buildings, structures, facilities or improvements, necessary or convenient to the accommodation of steamships or other vessels and their cargoes or passengers.

“Marine terminal purposes” shall mean the effectuation, establishment, acquisition, construction, rehabilitation, improvement, maintenance or operation of marine terminals.

“Municipality” shall mean a county, city, borough, village, township, town, public agency, public authority or political subdivision.

“Real property” shall mean lands, structures, franchises and interests in land, including waters, lands under water and riparian rights, and any and all things and rights usually included within the said term, and includes not only fees simple absolute but also any and all lesser interests, including but not limited to easements, rights-of-way, uses, leases, licenses and all other incorporeal hereditaments and every estate, interest or right, legal or equitable, including terms for years and liens thereon by way of judgments, mortgages or otherwise.

4. Notwithstanding any contrary provision of law, any municipality of the State of New Jersey located within the Port of New York District is authorized and empowered to consent to the use by the Port Authority of any marine terminal owned by such municipality or of any real or personal property owned by such municipality and necessary, convenient or desirable in the opinion of the Port Authority for marine terminal purposes, including such real property as has already been devoted to a public use and as an incident to such consent, to grant, convey, lease or otherwise transfer to the Port Authority any such marine terminal or real or personal property. Every such municipality is also authorized and empowered to vest in the Port Authority the control, operation, maintenance, rents, tolls, charges and any and all other revenues of any marine terminal now owned by such municipality, the title to such marine terminal remaining in such municipality. Such consent shall be given, and the execution of any agreement, deed, lease, conveyance or other instrument evidencing such consent or given as an incident thereto shall be authorized in the manner provided in Article XXII of the compact of April thirtieth, one thousand nine hundred and twenty-one, between the two States creating the Port Authority.

C. 32:1-35.31.
Authorized to
vest title and
control in port
authority.

5. This section and the preceding sections hereof constitute an agreement between the States of New Jersey and New York supplementary to the compact between the two States dated April thirtieth, one thousand nine hundred and twenty-one, and amendatory thereof and shall be liberally construed to effectuate the purposes of said compact and of the comprehensive plan heretofore adopted by the two States pursuant thereto, and the powers vested in the Port Authority hereby shall be construed to be in aid of and supplemental to and not in limitation or derogation of any of the powers heretofore conferred upon or delegated to the Port Authority.

C. 32:1-35.32.
Construed to
effectuate
compact
and plan.

C. 32:1-35.33.
Property
deemed for
public use.

6. If for the purposes of establishing marine terminals or purposes incidental thereto, including temporary construction purposes, the Port Authority shall find it necessary or convenient to acquire any real property as herein defined, whether for immediate or future use, the Port Authority may find and determine that such property, whether a fee simple absolute or a lesser interest, is required for a public use, and upon such determination the said property shall be and shall be deemed to be required for such public use until otherwise determined by the Port Authority.

The Port Authority may acquire and is hereby authorized to acquire such property, whether a fee simple absolute or a lesser estate, by condemnation or the exercise of the right of eminent domain under and pursuant to the Revised Statutes of New Jersey, Title 20:1-1 et seq., or at the option of the Port Authority pursuant to such other and alternate procedure as may be provided by law. Nothing herein contained shall be construed to prevent the Port Authority from bringing any proceedings to remove a cloud on title or such other proceedings as it may, in its discretion, deem proper and necessary, or acquiring any such property by negotiation or purchase.

In the event the Port Authority shall deem that the use by it of any real property for any purpose hereunder will be necessary either immediately or by a definite future date, it may file with any petition in any condemnation proceeding brought pursuant to law or at any time thereafter a notice that it requires the possession thereof, either immediately or at a date specified in such notice. In such event, the Port Authority shall cause a duplicate of such notice and an affidavit of the filing thereof to be recorded in the office in which deeds are required to be recorded in the county wherein the land involved is situated and upon such recording the Port Authority may enter upon and shall be entitled to the possession, use and occupation of such real property at the time specified in said

notice without suit or other judicial proceedings; *provided*, that it shall first deposit with the court a sum equal to the assessed valuation of such real property, or in the event that the assessed valuation thereof cannot be readily ascertained such sum as in the judgment of the Port Authority shall be sufficient as compensation for the real property acquired. The sum so deposited with the court shall be applied to the satisfaction of any award thereafter made in any condemnation proceeding. Such filing and recording of said notice shall be conclusive evidence of the entry upon and appropriation of said property by the Port Authority, and title to said property shall vest in the Port Authority on the date specified in such notice. The power of the Port Authority to acquire real property by condemnation hereunder shall be a continuing power, and no exercise thereof shall be deemed to exhaust it.

Proviso.

Nothing herein contained shall be construed to permit the taking by the Port Authority of any property owned by any railroad or railway corporation, or by any other corporation which is a "public utility" as defined in section 48:2-13 of the Revised Statutes, and devoted to use by such corporation in its operations, or acquired prior to the effective date of this act and held for such use, without the authority or consent of such corporation.

7. The Port Authority may exercise the right of eminent domain or condemnation to acquire real property for marine terminal purposes as set forth in this section:

C. 32:1-35.34.
Exercising
right of
eminent
domain:

(a) As used in this section, unless otherwise expressly stated or unless context or subject matter otherwise requires, the following terms shall mean:

Terms defined;

(1) "Days." Calendar days exclusive of Sundays and full legal holidays.

(2) "Owner." A person having an estate, interest or easement in the real property being acquired or a lien, charge or encumbrance thereon.

- Real property; (b) Whenever the Port Authority shall determine that it is necessary to acquire real property for marine terminal purposes for the public use by the exercise of the right of eminent domain or condemnation, it shall prepare three similar surveys, diagrams, maps, plans or profiles of the real property being acquired, stating thereon that the Port Authority has determined that it is necessary to acquire said property, and the amount or valuation at which each parcel of real property to be acquired has been assessed for purposes of taxation on the tax rolls for each of the three years preceding, and if the interest being taken shall be less than the fee, the estimated value of such interest; one of such surveys, diagrams, maps, plans or profiles shall be filed in the office of the secretary of the Port Authority, the second shall be filed in the office in which instruments affecting real property are required to be recorded, in the county in which such real property is situated, and the third copy shall be filed in the office of the clerk of the Supreme Court; and it shall file in the office of the clerk of the county where the real property to be acquired or any part thereof is situated a notice of the pendency of a proceeding for the acquisition of such property. Such notice shall briefly state the object of the proceeding and shall contain a brief description of the real property being acquired thereby. It shall also state the names of such of the owners of such real property as may be known to the Port Authority, and in case any of the owners are unknown, a statement to that effect shall be made in such notice. Such notice, from the time of filing, shall be constructive notice to a purchaser or encumbrancer of the real property affected thereby from or against any person interested as owner with respect to whom the notice is directed to be indexed.
- Form of notice;
- Right of entry; It shall be lawful for the duly authorized agents of the Port Authority, and all persons acting under its authority and by its direction, to enter in the daytime into and upon such real property which

it shall be necessary so to enter, for the purpose of making such surveys, diagrams, maps or plans, or for the purpose of making such soundings or borings as the Port Authority may deem necessary.

(c) Whenever any land or other property taken for public use shall lie or be in two or more counties, all reports, petitions, orders and other papers required to be filed shall be filed in the clerk's office of the county in which the greater part in value of the land or other property is situate and a certified copy thereof shall be filed and recorded in the clerk's office of the other county or counties. The commissioners, if any be designated, shall be residents of the county in which the greater part in value of the land or other property is situate.

Property in
two or more
counties.

(d) Upon the filing of the lis pendens, the Port Authority shall cause notice by advertisement to be published on one day in each of four successive weeks in a newspaper published and of general circulation in the county in which the real property to be acquired is located, of its intention to make application to one of the justices of the Supreme Court, at a time and place to be stated in such notice, to have the compensation which should justly be made to the respective owners of the real property proposed to be taken, ascertained and determined by the justice. Such notice shall indicate the real property to be taken by a general description and by reference to the map on file in the office of the Port Authority, in the office in which instruments affecting real property are required to be recorded, and in the office of the clerk of the Supreme Court.

Advertising;

(e) In addition to the provisions contained in subdivision (d) above, written notice of the application shall be given by the Port Authority to the owners of all property affected by the proceeding at least ten days prior to such application, by mailing the same to such owners at the address registered or filed with the collector of taxes for the purpose of forwarding to them bills for taxes or assessments. Such notice shall state the pur-

Notice to
owner;

pose for which the property is to be acquired and the date when such application will be presented and shall contain a copy of such application. Failure to comply with the directions contained in this subdivision shall not invalidate or affect the proceeding.

Contents of
petition;

(f) Upon the application to condemn, the Port Authority shall present to the justice a verified petition setting forth:

(1) The action had by the Board of Commissioners of the Port Authority with reference to the proceeding;

(2) The real property to be acquired therein by setting forth a specific description thereof, and its location with reasonable certainty and by reference to the map on file in the office of the Port Authority, in the office in which instruments affecting real property are required to be recorded, and in the office of the clerk of the Supreme Court, a copy of which shall be attached to the petition;

(3) The amount of valuation at which each parcel of the real property to be acquired has been assessed for purposes of taxation on the tax rolls for each of the three years preceding the date of the petition, or if the interests being taken shall be less than the fee, the estimated value of such interest;

(4) A prayer that the real property described therein be condemned.

Order granting
application;

(g) At the time and place mentioned in the notice published pursuant to subdivision (d) hereof, unless the justice shall adjourn the application to a subsequent day, and in that event, at the time and place to which such application may be adjourned, upon due proof to his satisfaction of the publication and mailing of such notice and upon filing such petition, the justice shall enter an order granting the application, which order shall be filed in the office of the clerk of the Supreme Court.

The Port Authority shall, within ten days after the entry of such order, cause a certified copy thereof to be recorded in the office where instruments affecting real property are required to be recorded, in every county in which any part of the real property affected is situated, in the same manner as deeds are recorded, and the register of deeds or county clerk with whom such certified copy shall be recorded, shall index the same in the same manner as recorded deeds are indexed.

(h) The Port Authority, after the filing of the order granting the application to condemn, shall cause to be published on one day in each of four successive weeks in a newspaper published and of general circulation in the county in which the real property to be acquired is located, a notice containing a general description of the real property to be acquired, a statement that such order has been filed and requiring that all owners of such real property shall, on or before a date specified in the order granting the application, file in the office of the Clerk of the Supreme Court, a written claim or demand, duly verified, setting forth the real property owned by the claimant, his post-office address, and the nature of his interest in said real property. The claimant shall within the same time serve on the Port Authority a copy of such verified claim.

Order
published;

Owner to
file claim;

(i) Proof of title to the real property to be acquired, where the same is undisputed, together with proof of liens or encumbrances thereon, shall be submitted by the claimant to the Port Authority. The Port Authority shall serve upon all parties or their attorneys who have served upon it copies of their verified claims, a notice of the time and place at which it will receive such proof of title. Where the title of the claimant is disputed, such dispute shall not act as a stay of the proceeding to determine the value of the property to be taken, but the proceeding shall continue in the same manner as it would if there were no dispute as to the title, and the award, if any, shall be paid into the

Proof of title
submitted;

Not to act as
a stay to
proceedings;

Notice of payment into court;	Court of Chancery by order of the Chancellor, and shall there be distributed, according to law, on the application of any person interested therein. Written notice given to the owner or owners and to persons interested that such moneys have been so paid into court shall have the same effect as if the moneys so awarded had been actually tendered to the owner or persons entitled thereto. Notice by advertisement in such manner as the Chancellor shall direct shall be deemed sufficient notice.
Procedure upon failure to file claim;	(j) After all parties who have filed verified claims, as provided in subdivision (h) hereof, have proved their titles, or have failed to do so after being notified by the Port Authority of the time and place where such proof of title would be received, the Port Authority shall apply to a justice of the Supreme Court for leave to bring on before him upon a day to be fixed by said justice a hearing upon the claim so filed, or in case no claims are filed, to fix the amount to be paid for such lands.
Commissioners;	In order to advise the said justice, he may appoint three commissioners to view said lands, and to advise him what damages, if any, should be assessed for the taking of such lands. The commissioners shall proceed under such directions and rules as shall from time to time be fixed by the said justice to view the lands, to hear such evidence as they may desire, and to fix such sum, if any, that in their judgment will represent the fair value of the lands so taken. The said justice may review such findings and shall not be bound thereby, but may alter or reject such findings in such manner as will, in his judgment, fairly protect the interests of the parties, and such review may be made either with or without further hearing.
May review findings;	The commissioners so appointed to advise said justice shall make their report to him within one hundred days from the date of their qualification.
Report;	After said justice shall have ascertained and estimated the compensation which should justly be made by the Port Authority to the respective
Entry of judgment;	

owners of the real property being acquired, he shall then order that judgment be entered in the amount so determined.

(k) It shall be the duty of the justice, or the commissioners designated by him, to view the real property to be acquired. Where title to real property being acquired in a proceeding shall have been vested in the Port Authority, and buildings or improvements situated thereon shall have been removed or destroyed by the Port Authority or pursuant to its authority prior to the proceeding, and whereby the justice is, or the commissioners are, deprived of a view of the buildings or improvements so removed or destroyed, the fact that the justice has not had, or the commissioners have not had a view thereof, shall not preclude the justice or the commissioners from receiving in the proceeding, testimony and evidence as to the damage sustained by the claimant by reason of the taking thereof, when offered on behalf of either the claimant or the Port Authority.

Property to
be viewed;

(l) No evidence shall be admitted in the proceeding, as against an owner of real property being acquired, of an offer made by or on behalf of such owner for the sale of his property or any part thereof to the Port Authority, or for the sale or assignment of any right and title to the award or awards, or any part thereof, to be made for such property or any part thereof, in the proceeding; nor shall any evidence be received, as against the Port Authority, of any offer made to such owner, by or on its behalf, for the purchase of such property or any part thereof or for the purchase of the award or awards or any part thereof, to be made for such property, or any part thereof, in the proceeding.

Certain
evidence not
admitted;

(m) The Port Authority shall furnish to the justice such surveys, diagrams, maps, plans and profiles as the justice shall require, to enable the justice to hear and determine the claims of the owners of the real property affected by the proceeding. Such surveys, diagrams, maps, plans and

Information
furnished
justice;

profiles shall distinctly indicate by separate numbers, the names of the claimants to, or of the owners of the respective parcels of real property to be taken in such proceeding, so far as the same are known, and shall also specify in figures with sufficient accuracy the dimensions and bounds of such real property. Where possible, such real property shall be designated on such maps by the same ward or block and lot numbers or other designations as shall be used to designate such real property on the tax books and tax maps of the taxing agency in which it is located. The justice may require the Port Authority to furnish such other surveys, diagrams, maps, plans and profiles and such other information as shall aid and assist the justice in the proceeding.

Petition
for review;

(n) The Port Authority, or any party or person affected by the proceeding and aggrieved by the judgment made therein as to awards may petition the Supreme Court or a justice thereof for a writ of certiorari to review the proceeding in accordance with the provisions contained in chapter eighty-one of Title 2 of the Revised Statutes. If the judgment entered in the proceeding to condemn should be reversed upon any subsequent review, such reversal shall not divest the Port Authority of title to the real property thereby affected.

Payment
of damages
awarded;

(o) All damages awarded by the justice, with interest thereon from the date of the filing of the judgment, or if the title to the real property acquired shall have vested in the Port Authority prior thereto, from the date of such vesting, shall be paid by the Port Authority to the respective owners to whom the damages were awarded in the judgment, within two calendar months after the entry of the judgment, without further order of the court, or application for such payment by said owners. Property owners appearing in the proceeding shall not be entitled to recover counsel fees, costs, disbursements or allowances. Any outstanding taxes, assessments or other liens shall be deducted from the amount of the award and no

interest shall be paid by the Port Authority upon the sum or sums so deducted. Payment of an award to a person named in the judgment as the owner thereof, if not under legal disability, shall in the absence of notice in writing to the Port Authority of adverse claims thereto protect the Port Authority and shall be a full acquittance and release of all claims to said award.

In case there shall be a dispute as to title, or the party entitled to receive the amount assessed by the justice shall refuse upon tender thereof to receive the same, or shall be out of the State or under any legal disability, or in case several parties being interested in the fund shall not agree as to the distribution thereof, or in case the lands or other property taken are encumbered by mortgage, judgment or other lien, or if for any other reason the Port Authority cannot safely pay the amount awarded to any person, in all such cases, on petition to the Chancellor, to which shall be annexed a copy of the petition in condemnation and of the findings of the justice or commissioners, if there be any, the amount awarded may be paid into the Court of Chancery by order of the Chancellor, and shall there be distributed according to law, on the application of any person interested therein. Written notice given to the owner or owners and to persons interested that such moneys have been so paid into court shall have the same effect as if the moneys so awarded had been actually tendered to the owner or persons entitled thereto. Notice by advertisement in such manner as the Chancellor shall direct shall be deemed sufficient notice.

Amount
assessed paid
into court of
chancery;

(p) The Port Authority may pay to the person entitled to an award for real property acquired in a proceeding, in advance of the final judgment, a sum to be determined by the Port Authority, not exceeding sixty per centum (60%) of the assessed value of the real property taken less the liens and encumbrances of record thereon; *provided*, that when the real property taken shall be less than

Advance
payment
before final
judgment;

Proviso;

the fee, then such sum shall not exceed sixty per centum (60%) of the amount set forth in the petition as the estimated value of such interest, less the liens and encumbrances thereon. If the Port Authority shall make a partial payment in advance either pursuant to this subsection or pursuant to section six hereof, interest on the sum so paid in advance shall cease to run on and after a date five days after such person shall have been notified by mail or otherwise that the Port Authority is ready to pay the same. In case the person entitled to an award at the date of the vesting of title to the real property in the Port Authority shall have transferred or assigned his claim, such transfer or assignment made by him, or by his successor in interest or legal representative, shall not become binding upon the Port Authority unless the instrument or instruments evidencing such transfer or assignment shall have been filed in the office of the Port Authority prior to any such advance payment. When any such advance payment shall have been made, the Port Authority, on paying the awards for the real property acquired, shall deduct from the total amount allowed as compensation the sum advanced plus interest thereon from the date of the payment of such advance to the date of the final judgment, and the balance shall be paid as hereinbefore provided in subdivision (o) hereof.

May take
assignment.

(q) In any proceeding hereunder, in which title to the real property to be acquired shall have become vested in the Port Authority prior to the entry of final judgment, the Port Authority shall have power and is hereby authorized to purchase from the owners of such real property at the date of the vesting of title thereto, or their successors in interest or legal representatives, their right and title to the award or awards, or any part thereof, to be made in such proceeding and to take an assignment thereof to the Port Authority.

Pledges or
assignments
not valid unless
recorded;

(r) No pledge, sale, transfer or assignment of an award by the person entitled to receive the same by virtue of the judgment or by other order of the

justice, shall be valid unless the instrument evidencing such pledge, sale, transfer or assignment shall be acknowledged or proved as instruments are required to be acknowledged or proved for the recording of transfers of real property and shall be filed in the office of the Port of New York Authority. Every such instrument not so filed shall be void as against any subsequent pledgee or assignee in good faith and for a valuable consideration from the same pledgor or assignor, his heirs, administrators or assigns, of the same award or any portion thereof, the assignment of which is first duly filed in the office of the Port Authority. The Port Authority shall maintain in its office a record of all pledges or assignments filed with it under the provisions hereof.

(s) The justice at any time may correct any defect or informality in any notice, petition, pleading, order or judgment in the proceeding, or cause real property affected by such defect, informality or lack of jurisdiction to be excluded therefrom or any other real property affected by such defect, informality or lack of jurisdiction to be included therein by amendment upon ten days' notice published as provided for the institution of the proceeding and may direct such further notices to be given to any party in interest as it shall deem proper.

Justice may
correct defect
upon notice;

(t) The Board of Commissioners of the Port Authority by resolution may abandon any proceeding as to the whole or a part of the lands to be acquired in such proceeding, at any time before title to the real property to be thereby acquired shall have vested in the Port Authority, and may cause new proceedings to be taken for the condemnation of such real property. In case of such abandonment, however, the reasonable actual cash disbursements, necessarily incurred and made in good faith by any party interested, shall be paid by the Port Authority, after the same shall have been taxed by a justice of the Supreme Court, upon ten days' notice of such taxation being previously

May abandon
proceedings;

given to the Port Authority; *provided*, the application to have such disbursements taxed shall be made and presented to the justice within one year after the adoption of the resolution of the board discontinuing the proceeding in whole or in part. For the purposes of this section, the fair and reasonable value of the services of an attorney retained by any interested party to represent his interests in said condemnation proceeding, whether on a contingent fee basis or otherwise, if such retainer be made in good faith, shall be deemed to be an actual cash disbursement, necessarily incurred by such interested party and shall be taxable in the same manner as other disbursements. The amounts taxed as disbursements shall be due and payable thirty days after written demand for payment thereof shall have been filed with the Port Authority.

Title vested;

(u) The title to any piece or parcel of the real property, or any interest therein, authorized to be acquired hereunder shall be vested in the Port Authority upon the entry of the order granting the application to condemn. The Port Authority, however, may direct that the title shall be vested in the Port Authority upon a specified date after the date of the entry of the order granting the application to condemn, or upon the date of the filing of the final judgment, but not later than the date of the filing of the final judgment. Upon the date when title to the real property shall have vested as herein provided, the Port Authority shall become and be seized in fee of or of an easement in, over, above, through, upon or under such real property or such other interest therein as may have been specified, the same to be held, appropriated, converted and used for the purposes for which the proceeding was instituted. The Port Authority or any person acting under its authority shall immediately or at any time thereafter take possession of such property without suit or other judicial proceedings.

To have
possession of
property;

(v) Where the whole of any lot or parcel of real property, under lease or other contract, shall be taken, all the covenants, contracts and engagements between landlord and tenant and other contracting parties touching the same or any part thereof, upon the vesting of title in the Port Authority, shall cease and determine and be absolutely discharged. Where a part only of any lot or parcel of real property so under lease or other contract shall be so taken, all contracts and engagements respecting the same, upon such vesting of title, shall cease and determine and be absolutely discharged as to the part thereof so taken, but shall remain valid and obligatory as to the residue thereof. All tenants in possession of such premises at the time of the vesting of title thereto in the Port Authority shall become tenants at will of the Port Authority unless within ten days after the vesting of title they shall elect to vacate and give up their respective holdings.

Covenants
under lease to
terminate.

8. In the event that the Port Authority shall find it necessary or desirable to acquire any lands under water in the State of New Jersey for marine terminal purposes, the Division of Navigation of the Department of Conservation of that State may grant, transfer or convey such lands under water to the Port Authority in accordance with the statutes of that State governing the making of riparian grants and leases, upon such terms and conditions as may be determined by said Division.

C. 32:1-35.35.
Division of
navigation
authorized
to transfer
certain lands.

9. This act shall take effect upon the enactment into law by the State of New York of legislation having an identical effect with sections one to five, inclusive, of this act; but if the State of New York shall have already enacted such legislation, then this act shall take effect immediately.

C. 32:1-35.36.
Act effective.

Approved April 2, 1947.

CHAPTER 45

AN ACT making certain bonds, notes, and instruments of the Port of New York Authority negotiable.

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

Bonds, etc.,
deemed
negotiable.

1. Upon the concurrence of the State of New York herein, in the manner indicated in section two hereof, the States of New Jersey and New York agree that any bond, note or instrument heretofore or hereafter issued by the Port of New York Authority containing a provision that upon the happening of a specified event or events it shall be exchanged for or converted into a General and Refunding Bond of the Port of New York Authority shall, notwithstanding such provision, be and be deemed to be also a negotiable instrument under the law of each State; *provided*, that it conforms in all other respects to the requirements for negotiable instruments under the law of such State.

Proviso.

Act effective.

2. This act shall take effect upon the enactment into law by the State of New York of legislation having an identical effect with this act, but if the State of New York shall have already enacted such legislation this act shall take effect immediately.

Approved April 2, 1947.

CHAPTER 46

AN Act to amend "An act to regulate, control and stabilize rents and possession of housing space and declaring an emergency with respect thereto and providing an appropriation therefor," approved July twenty-second, one thousand nine hundred and forty-six (P. L. 1946, c. 319).

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

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

Section
amended.

18. The provisions of this act and all regulations and orders thereunder shall terminate on June thirtieth, one thousand nine hundred and forty-eight, or upon the date specified in a proclamation by the Governor declaring that the further continuance of the provisions of and the authority granted by this act are not necessary in the interests of the public health, safety and general welfare, whichever date is the earlier; or the operation of this act may be suspended and restored by proclamation of the Governor prior to June thirtieth, one thousand nine hundred and forty-eight; except that as to offenses committed, or rights or liabilities incurred, prior to such termination date, the provisions of this act and such regulations and orders thereunder shall be treated as still remaining in force for the purpose of sustaining any proper suit, action or prosecution with respect to any such right, liability or offense.

C. 2:58-32.18.
Provisions
of act to
terminate.

2. This act shall take effect immediately.

Approved April 2, 1947.

CHAPTER 47

AN ACT to amend the title of "An act concerning labor disputes in public utilities; providing for collective bargaining; enlarging the duties of the State Board of Mediation; and providing for seizure and operation of public utilities by the State," approved March twenty-sixth, one thousand nine hundred and forty-six (P. L. 1946, c. 38), so that the same shall read "An act concerning labor disputes in public utilities; providing for collective bargaining; enlarging the duties of the State Board of Mediation; providing for seizure and operation of public utilities by the State; providing for compulsory arbitration of labor disputes in public utilities; and providing penalties for the violation thereof"; and to supplement the body of said act.

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

Title
amended.

1. The title of "An act concerning labor disputes in public utilities; providing for collective bargaining; enlarging the duties of the State Board of Mediation; and providing for seizure and operation of public utilities by the State," approved March twenty-sixth, one thousand nine hundred and forty-six (P. L. 1946, c. 38), is amended to read "An act concerning labor disputes in public utilities; providing for collective bargaining; enlarging the duties of the State Board of Mediation; providing for seizure and operation of public utilities by the State; providing for compulsory arbitration of labor disputes in public utilities; and providing penalties for the violation thereof."

New title.

C. 34:13B-18.
Notice of
intention
required.

2. It shall be unlawful for any employee or representative of any craft, class or group of em-

ployees of a public utility to institute, participate in or aid in the conduct of a strike or work stoppage or for a public utility or any officer, agent or representative thereof to institute, participate in or aid in any lockout until sixty days shall have elapsed after written notice of intention to institute, participate or aid in the conduct of a strike or work stoppage or lockout has been served by the employee or representative intending to institute, participate in or aid in a strike or work stoppage or the public utility intending to institute, participate in or aid in a lockout upon the State Board of Mediation and the other party to the dispute. Said notice may be served on or after but not before the termination of the collective bargaining agreement between the parties and in cases where no such collective bargaining agreement exists, may be served at or after but not before the expiration of the notice of desired changes required to be served under the provisions of the act which this act supplements. During the aforementioned sixty-day period it shall be the duty of all parties to continue their endeavors in good faith to reach an agreement and said sixty-day period may be extended by written agreement of the parties, filed with the State Board of Mediation.

Service
of notice.

To continue
negotiations.

3. After the Governor has taken or shall take possession of any plant, equipment or facility of any public utility, pursuant to the provisions of section thirteen of the act which this act supplements, it shall be unlawful for any person employed, or who has been employed immediately prior to such taking of possession by the Governor, at such plant or facility to participate in or aid in any strike, work stoppage or concerted refusal to work for the State as a means of enforcing demands of employees against the State or for any other purpose.

C. 34:13B-19.
Unlawful to
participate in
strike against
State.

4. Within ten days after the Governor has taken or shall take possession of any plant, equipment or facility of any public utility pursuant to the

C. 34:13B-20.
Dispute sub-
mitted to
board within
ten days.

provisions of section thirteen of the act which this act supplements, or within ten days after the effective date of this act, whichever is later, any and all disputes then existing between the public utility and its employees shall be submitted to a Board of Arbitration to be constituted within such ten-day period as follows: the management of such public utility and the representatives of such employees shall each designate in writing one person to serve as a member of such Board of Arbitration and file such designation with the State Board of Mediation; the two persons so designated shall choose three disinterested and impartial persons and shall file such designations with the State Board of Mediation, and the five thus appointed shall compose, and act as the Board of Arbitration. In the event that the persons designated by the management and the representatives of the employees shall, within such ten-day period, fail to choose the three disinterested and impartial persons hereinabove referred to, and file the designations of such persons with the State Board of Mediation, then the Governor shall, upon being notified to that effect by the State Board of Mediation, forthwith appoint such three disinterested and impartial persons to serve as members of such Board of Arbitration.

In the event that either the management of the public utility involved or the representatives of the craft, class or group of employees shall fail or neglect to designate, as hereinabove provided, persons to represent them respectively upon such Board of Arbitration, within such ten-day period, then the Governor shall, upon being notified thereof by the State Board of Mediation, forthwith appoint five disinterested and impartial persons to constitute such Board of Arbitration. All appointments hereinabove required to be made shall be filed with the State Board of Mediation.

5. The Board of Arbitration shall promptly proceed to arbitrate the matters submitted to it. It shall promptly hold hearings and shall have the

Membership
of board of
arbitration.

Governor to
appoint under
certain
conditions.

Board of
mediation to
appoint under
certain
conditions.

C. 34:13B-21.
Board of
arbitration
to hear
controversy.

power to administer oaths and compel the attendance of witnesses and the furnishing by the parties involved in the labor dispute of such information as may be necessary to a determination of the issue or issues in dispute. Both parties to the dispute shall be afforded an opportunity to be present at the hearing, both personally and by counsel, and to present such oral and documentary evidence as the Board of Arbitration shall deem relevant to the issue or issues in controversy.

6. It shall be the duty of the Board of Arbitration to make written findings of fact and to promulgate a written decision and order upon the issue or issues presented in each case. Such findings, decision and order shall be made within thirty days after submission of the matters in dispute or within such additional period as may be agreed upon by a majority of the members of such board. The findings, decision and order of such board shall forthwith be filed by such board with the Governor, and a copy of such findings, decision and order shall be submitted to each of the parties to the dispute and another copy thereof filed with the State Board of Mediation.

C. 34:13B-22.
Findings
of fact and
decision.

Filing of
decision
and order.

7. The findings, decision and order of the Board of Arbitration shall be conclusive and binding upon all of the parties to the dispute. The decision and order of such board shall be complied with by the parties in accordance with the terms thereof. The Board of Arbitration may, in its discretion, with respect to any labor dispute existing at the effective date of this act, provide that any award made by it shall be retroactive to the day of the return to work by the employees or, with respect to any labor dispute occurring after the effective date of this act, to the day of the taking of possession pursuant to the provisions of section thirteen of the act which this act supplements, or to the day of the return to work by the employees, or to the day of the termination of any contract between a public utility and its employees.

C. 34:13B-23.
Findings,
decision
and order
conclusive
and binding.

C. 34:13B-24.
Company and
union penalty.

8. Any lockout, authorized or engaged in, by any public utility, or any strike or work stoppage, authorized or engaged in, or continued to be engaged in by any labor union or representative of any craft, class or group of employees of a public utility, or any concerted or simultaneous action on the part of a substantial number of the members of any labor union resulting in an interruption of the operation of any public utility, in violation of any provision of this act or in violation of the terms of any decision or order made by any Board of Arbitration constituted in accordance with the provisions of this act, shall subject such public utility and any officer or agent thereof participating or aiding therein or such labor union or representative of any craft, class or group of employees of a public utility to a penalty in the sum of ten thousand dollars (\$10,000.00) per day for each day during the period of such lockout, strike or work stoppage, such penalty to be recovered in the name of the State in an action at law in any court of competent jurisdiction.

C. 34:13B-25.
Individual
penalties.

9. Any person who shall willfully violate, or aid and abet the violation of any of the provisions of this act, or attempt to do so, shall, for each such offense, be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than two hundred fifty dollars (\$250.00) nor more than five hundred dollars (\$500.00) or be imprisoned for a period not exceeding thirty days, or both. Each day's continuance of the violation shall constitute a separate offense.

10. This act shall take effect immediately.

Approved April 9, 1947.

CHAPTER 48

AN ACT respecting fishing, and amending section
23:5-1 of the Revised Statutes.

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

1. Section 23:5-1 of the Revised Statutes is Section amended.
amended to read as follows:

23:5-1. No person shall catch, take, kill or have
in possession any:

a. Black bass, Oswego bass, white bass, rock Open, and closed seasons for certain fish.
bass, calico bass or crappie, except from June
fifteenth to November thirtieth, or

b. Trout or landlocked salmon, except from
April fifteenth to July fifteenth, and from
September first to September thirtieth, *pro-* Proviso.
vided, however, no person shall catch, take, kill
or have in their possession any trout or land-
locked salmon mentioned in this paragraph on
the first day of any open season before eight
ante meridian, or

c. Pike perch, pike or pickerel, except from
May twentieth to November thirtieth and from
the first Saturday in January to the last Sun-
day in January, or

Angle in the streams stocked with trout with
fly, bait or lure between the first day of March
and April fourteenth, both dates inclusive—

Under a penalty of twenty dollars (\$20.00) for Penalty.
each fish so unlawfully caught, taken, killed or had
in possession or for the attempt to catch, take or
kill any such fish.

2. This act shall take effect immediately.

Approved April 9, 1947.

CHAPTER 49

AN ACT concerning certain road districts in townships, and supplementing chapter one hundred fifty-three of Title 40 of the Revised Statutes.

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

C. 40:153-36.
May create
road districts.

1. The township committee of any township may, by ordinance, at any time or from time to time set off and create a district or districts within the township, to be designated by number, and shall by the ordinance define and declare the limits, boundaries and number or numbers of each of said districts, and the same being so defined and declared, each of them shall be deemed and taken to be a road district and shall be known as, and designated by and under the corporate name of, "Road District Number of Township County." Said district, when so designated, shall be a body corporate and shall have all corporate powers necessary for carrying out the powers hereinafter in this chapter conferred.

C. 40:153-37.
Commissioners
elected
annually.

2. On such day as shall be fixed in the ordinance and thereafter on the third Saturday in February in each year the legal voters of any such district so created may meet for the purpose of electing three persons who shall be known and designated as Commissioners of Road District Number of Township County and at the same time the legal voters shall determine by ballot by the vote of the majority of those present and voting the sum of money to be raised and expended within such district, within the ensuing year, for the improvement, maintenance and repair of streets and roads of said district, in addition to any sum which may be raised for those purposes by general taxation, and for the carry-

ing out of the powers herein conferred. Nothing herein contained shall be taken to prohibit the expending, in addition to the yearly appropriation, of any surplus or excess remaining from the appropriation of the year or years previous.

3. Each meeting for the election of commissioners and the determination of the sum to be raised shall be held at such public place within the district as the township committee may designate by resolution and the notice of the time and place of such election shall be given by the township clerk, by setting up the same in at least three of the most public places within the district ten days before the said election. The polls on said election shall be open at one o'clock in the afternoon and close at seven o'clock in the evening. The voters there assembled, before any votes are cast, shall elect by viva voce vote a judge, inspector and clerk of said election.

C. 40:153-38.
Election
notice.

Polls open.

Officials.

4. The election of the commissioners and the sum fixed and appropriated by the majority of the votes cast shall be certified forthwith to the commissioners elected as aforesaid, who shall forthwith certify to the same and give notice to the township assessor of the sum so fixed, and he shall assess the same upon the taxable property within said district in the same manner as township taxes are assessed, and the money shall be assessed, levied and collected in the same manner as other township moneys and shall be remitted to the township treasurer or other custodian of township moneys by the collector of the township, one-half on or before July first of the year for which the same are to be raised and the remainder on or before January first of the following year.

C. 40:153-39.
Certification
of amount.

Dates of
payment.

5. The said moneys shall be deposited and retained in a special account by the township treasurer or other custodian of township moneys to be expended by the township committee only for the improvement, maintenance and repair of such streets and roads within the district as shall be certified from time to time by the commissioners

C. 40:153-40.
Use of
moneys.

or a majority of them and the said commissioners or a majority of them shall have power to certify the streets and roads upon which said moneys shall be expended and the amount to be expended, and the general character of the improvement, maintenance and repair to be made, upon each and the said township committee shall expend the said moneys, not exceeding, in any one year, the amount voted for at said election in addition to any surplus or excess from any previous appropriation for such improvement, maintenance and repair of the streets and roads so certified.

C. 40:153-41.
Vacancies.

6. Vacancies in the office of commissioner shall be filled by the remaining commissioners for the unexpired term only.

C. 40:153-42.
May alter
limits of
districts.

7. The township committee of any township in which a road district shall have been established under this act may by ordinance alter the limits and boundaries of, or dissolve and abolish, any such road district. If any such district shall be dissolved and abolished, any moneys remaining unexpended which have been assessed and raised for the purpose of carrying out the provisions of this act within said district shall be retained by, or turned over to, the treasurer or other custodian of the funds of the township and shall become general township funds.

Use of
moneys upon
dissolution.

C. 40:153-43.
Act effective.

8. This act shall take effect July first, one thousand nine hundred and forty-seven.

Approved April 11, 1947.

CHAPTER 50

AN ACT to amend and supplement "An act to provide for the imposition of a franchise tax upon certain corporations and for the distribution of the proceeds thereof, repealing sections 54:13-1 through 54:13-8 and chapter thirty-two-A of Title 54 of the Revised Statutes, and making an appropriation for the administration of such tax," approved April thirteenth, one thousand nine hundred and forty-five (P. L. 1945, c. 162).

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

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

Section
amended.

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

C. 54:10A-4.
Terms defined:

(a) "Commissioner" shall mean the director of the division of taxation of the State Department of Taxation and Finance.

Commis-
sioners;

(b) "Allocation factor" shall mean the proportionate part of a taxpayer's net worth used to determine a measure of its tax under this act.

Allocation
factor;

(c) "Corporation" shall mean any corporation, joint-stock company or association and any business conducted by a trustee or trustees wherein interest or ownership is evidenced by a certificate of interest or ownership or similar written instrument.

Corporation;

(d) "Net worth" shall mean the aggregate of the values disclosed by the books of the corporation for (1) issued and outstanding capital stock, (2) paid-in or capital surplus, (3) earned surplus and undivided profits, (4) surplus reserves which can reasonably be expected to accrue to holders or owners of equitable shares, not including reasonable valuation reserves, such as reserves for de-

Net worth;

preciation or obsolescence or depletion and (5) the amount of all indebtedness owing directly or indirectly to holders of ten per centum (10%) or more of the aggregate outstanding shares of the taxpayer's capital stock of all classes, as of the close of a calendar or fiscal year. However, if in the opinion of the commissioner, the corporation's books do not disclose fair valuations the commissioner may make a reasonable determination of the net worth which, in his opinion, would reflect the fair value of the assets carried on the books of the corporation, in accordance with sound accounting principles, and such determination shall be used as net worth for the purpose of this act.

Indebtedness
owing directly
or indirectly;

(e) "Indebtedness owing directly or indirectly" shall include, without limitation thereto, all indebtedness owing to any stockholder or shareholder and to members of his immediate family where a stockholder and members of his immediate family together or in the aggregate own ten per centum (10%) or more of the aggregate outstanding shares of the taxpayer's capital stock of all classes.

Investment
company;

(f) "Investment company" shall mean any corporation whose business during the period covered by its report consisted, to the extent of at least ninety per centum (90%) thereof of holding, investing and reinvesting in stocks, bonds, notes, mortgages, debentures, patents, patent rights and other securities for its own account, but this shall not include any corporation which: (1) is a merchant or a dealer of stocks, bonds and other securities, regularly engaged in buying the same and selling the same to customers; or (2) had less than ninety per centum (90%) of its average gross assets in New Jersey, at cost, invested in stocks, bonds, debentures, mortgages, notes, patents, patent rights or other securities or consisting of cash on deposit during the period covered by its report; or (3) owned more than ten per centum (10%) of either the aggregate outstanding shares of capital stock of all classes entitled to vote, or of the aggregate outstanding shares of nonvoting capital stock,

of any other corporation, during the period covered by its report.

(g) "Taxpayer" shall mean any corporation Taxpayer; required to report or to pay taxes, interest or penalties under this act.

(h) "Fiscal year" shall mean an accounting Fiscal year; period ending on any day other than the last day of December.

(i) "Privilege year" shall mean the calendar Privilege year. year in and for which a tax is payable under this act.

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

5. The franchise tax to be annually assessed to C. 54:10A-5. Franchise tax assessed. and paid by each taxpayer shall be measured by the greater of:

(a) that portion of its entire net worth as may be allocable to this State as provided in section six; or

(b) that proportion of its entire net worth as the average value of its total assets in this State during the period covered by its report is to the average value of its total assets everywhere during such period (for the purpose of which there shall be included as within this State all intangible personal property of domestic corporations not having a business situs outside this State, one-half of the value of such property having a business situs outside this State, and the entire amount of the intangible personal property of foreign corporations as would have a business situs within this State for the purpose of a property tax);

at the rate of 8/10 of a mill per dollar on the first Rate. one hundred million dollars (\$100,000,000.00) of allocated net worth; 4/10 of a mill per dollar on the second hundred million dollars (\$100,000,000.00); 3/10 of a mill per dollar on the third one hundred million dollars (\$100,000,000.00); and 2/10 of a mill per dollar on all amounts of allocated net

worth in excess of three hundred million dollars (\$300,000,000.00).

Proviso.

(c) *Provided, however,* that the franchise tax to be annually assessed to and paid by any investment company shall be measured by twenty-five per centum (25%) of its entire net worth, at the rates hereinabove set forth but in no case less than one hundred dollars (\$100.00), unless the taxpayer shall elect to remain taxable pursuant to any other subsection of this section.

Minimum tax.

(d) The tax assessed to any taxpayer pursuant to this act, notwithstanding the provisions of the preceding subsections of this section, shall not be less than the greater of 2/10 of a mill per dollar of total assets allocated to this State in accordance with subsection (b) hereof, and twenty-five dollars (\$25.00) in the case of a domestic corporation, or fifty dollars (\$50.00) in the case of a foreign corporation.

**Schedule for
business with
less than
\$100,000 assets.**

(e) In lieu of the tax imposed by subsections (a), (b), (c) and (d) of this section, any taxpayer, the value of whose total assets everywhere, less reasonable reserves for depreciation, as of the close of the period covered by its report, amounts to less than one hundred thousand dollars (\$100,000.00), may elect to pay the tax shown in the following table:

If total assets are at least	But less than	The tax shall be	
		For Domestic Corporations	For Foreign Corporations
\$ 0	\$ 45,000	\$ 25.00	\$ 50.00
45,000	50,000	28.00	50.00
50,000	55,000	32.00	50.00
55,000	60,000	35.00	50.00
60,000	65,000	38.00	50.00
65,000	70,000	41.00	50.00
70,000	75,000	45.00	50.00
75,000	80,000	48.00	50.00
80,000	85,000	51.00	51.00
85,000	90,000	54.00	54.00
90,000	95,000	58.00	58.00
95,000	100,000	61.00	61.00

3. Section ten of the act of which this act is amendatory is amended to read as follows: Section amended.

10. Whenever it shall appear to the commissioner that any taxpayer conducts its business or maintains its records in such manner as either directly or indirectly to distort its true net worth under this act or the proportion thereof properly allocable to this State, or that any taxpayer maintains a place of business outside this State, or that any agreement, understanding or arrangement exists between a taxpayer and any other corporation or any person or firm, for the purpose of evading tax under this act, or whereby the activity, business, receipts or net worth of the taxpayer is improperly or inaccurately reflected, the commissioner is authorized and empowered in his discretion and in such manner as he may determine to adjust and redetermine such net worth, and to adjust items of gross receipts, tangible property and payrolls within and without the State and the allocation of net worth, or to make such other adjustments in any tax report or tax returns as may be necessary. The commissioner may require any person or corporation to submit such information under oath, or to permit such examination of its books, papers and documents, as may be necessary. C. 54:10A-10.
Evasion
of tax.

to enable him to determine the existence, nature or extent of an agreement, understanding or arrangement to which this section relates, whether or not such person or corporation is subject to the tax imposed by this act.

Section
amended.

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

C. 54:10A-11.
Receiver, etc.,
subject to tax.

11. Any receiver, referee, trustee, assignee or other fiduciary, or any officer or agent appointed by any court, to conduct the business or conserve the assets of any corporation shall be subject to the tax imposed by this act in the same manner and to the same extent as a corporation hereunder.

Section
amended.

5. Section thirteen of the act of which this act is amendatory is amended to read as follows:

C. 54:10A-13.
Corporations
organized
after Jan. 1.
Proviso.

13. In the case of any corporation which organizes or qualifies on or after January first in any year no tax shall be payable in such privilege year; *provided, however*, that this section shall not apply to a foreign corporation, which after January first, one thousand nine hundred and thirty-seven, and prior to the year in which it qualifies, possessed the privilege of exercising its corporate franchise in this State, or did business, or employed or owned capital or property, or maintained an office in this State.

Section
amended.

6. Section fifteen of the act of which this act is amendatory is amended to read as follows:

C. 54:10A-15.
Taxes due
and payable.

15. The tax imposed by this act shall be due and payable with respect to the calendar year one thousand nine hundred and forty-six, and each year thereafter, measured by the taxpayer's net worth as of the close of the calendar year or of its fiscal year next preceding the privilege year, except that in the case of a taxpayer whose fiscal year ends not later than June thirtieth in the privilege year such measure shall be as of the close of such fiscal year. For the purpose of this section every taxpayer shall use the same calendar or fiscal year upon which it reports to the United States Treasury Department for Federal income tax purposes.

7. Section seventeen of the act of which this act is amendatory is amended to read as follows:

Section
amended.

17. (a) On or before the fifteenth day of April, in the case of taxpayers reporting on a calendar year basis, and on or before the fifteenth day of April or the fifteenth day of the fourth month following the close of a fiscal year, whichever is later, in the case of taxpayers reporting on a fiscal year basis, each taxpayer shall duly execute and file a tax return with the commissioner, in such form and containing such information as he may prescribe, which return shall truly and accurately, set forth its liability under this act; and the full amount of the tax hereunder shall be due and payable to the commissioner on or before the date prescribed herein for the filing of the return; *provided, however*, that for the privilege year one thousand nine hundred and forty-seven any return and tax payment which under the foregoing provisions of this section would be due on or before the fifteenth day of April or on or before the fifteenth day of May shall be due on or before the thirty-first day of May, one thousand nine hundred and forty-seven.

C. 54:10A-17.
Tax return
to be filed.

Proviso.

(b) Any taxpayer which shall fail to file its return when due shall be liable to a penalty of two dollars (\$2.00) for each day of delinquency, which penalty shall be payable to, and recoverable by, the commissioner as a part of the tax herein imposed. If any tax be not paid when the same becomes due, as herein provided, there shall be added to the amount of the tax a sum equivalent to five per centum (5%) thereof, as a penalty, and, in addition thereto, interest at the rate of one per centum (1%) per month or fraction thereof from the date the tax became due until the same be paid. The commissioner, if satisfied that the failure to comply with any provision of this section was excusable, may abate or remit the whole or part of any penalty.

Penalties.

Section
amended.

C. 54:10A-19.
May grant
extension
of time for
payment.

8. Section nineteen of the act of which this act is amendatory is amended to read as follows:

19. The commissioner may grant a reasonable extension of time for the filing of returns or the payment of tax, or both, under such rules and regulations as he shall prescribe, which rules and regulations may require the filing of a tentative return and the payment of an estimated tax, but no such extension shall be granted beyond the first day of December of the privilege year. If the time for filing the return shall be extended, the payment of the portion of the tax remaining to be paid, if any, shall be postponed to the date fixed by the extension of the time for the filing of the return, but in every such case the corporation shall pay, in addition to the unpaid portion of the tax, interest thereon at the rate of six per centum (6%) per annum from the time when the return originally was required to be filed to the date of actual payment under the extension; *provided*, that if such unpaid portion of the tax is not paid within the time fixed under the extension, the interest on such unpaid portion shall be computed at the rate of one per centum (1%) per month or fraction thereof to be calculated from the date the tax was originally due to the date of actual payment.

Proviso.

Section
amended.

C. 54:10A-23.
Administration
of act.

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

23. The administration, collection and enforcement of the tax imposed by this act shall be subject to the provisions of the State tax uniform procedure law as therein provided (chapters forty-eight through fifty-two of Title 54 of the Revised Statutes) to the extent that the provisions of such law are not inconsistent with any provision of this act.

New section.

10. The act of which this act is amendatory and supplementary is amended by adding a new section, numbered 19:1, to read as follows:

C. 54:10A-19.1.
Deficiency
assessments
or reassess-
ments.

19:1. (a) After a final return in due form is filed, the commissioner shall cause the same to be examined and may make such further audit or in-

vestigation or reaudit as he may deem necessary, and if therefrom he shall determine that there is a deficiency with respect to the payment of any tax due under this act, he shall assess or reassess the additional taxes, penalties and interest due the State, give notice of such assessment or reassessment to the taxpayer, and make demand upon him for payment. There shall be added to the amount of any deficiency assessment or reassessment interest at the rate of one per centum (1%) for each month or fraction thereof to be calculated from the date the tax was originally due and payable until the date of actual payment. If the failure to pay any such tax when due is explained to the satisfaction of the commissioner, he may remit or waive the payment of any interest charge in excess of the rate of one-half of one per centum ($\frac{1}{2}\%$) per month.

Interest added to amount due.

Commissioner may waive interest.

(b) Except in the case of a willful, false or fraudulent return with intent to evade the tax, the amount of tax due under any return duly made under this act shall be finally determined by the commissioner within five years after such return shall have been filed.

Final determination of tax due.

11. The act of which this act is amendatory and supplementary is amended by adding a new section, numbered 19:2, to read as follows:

New section.

19:2. (a) Any aggrieved taxpayer may, within three months after any decision, order, finding, assessment or action of the commissioner made pursuant to the provisions of this act, appeal therefrom to the Division of Tax Appeals, by filing a petition of appeal with said division in the manner and form prescribed by the said division, and on giving security, approved by the commissioner, conditioned to pay the tax heretofore levied, if the same remains unpaid, with interest and costs.

C. 54:10A-19.2. Appeals.

(b) No such appeal shall stay the collection of any tax or the enforcement of the same by entry as a judgment, unless by order of such division, and then only after security approved by the commissioner or said division has been furnished to

Appeal not to stay collection.

the commissioner. The judgment or order of the Division of Tax Appeals respecting any matter arising under the provisions of this subtitle may be reviewed by certiorari in the same manner as other judgments of said division.

C. 54:10A-19.3.
Act operative.

12. This act shall take effect immediately, and shall apply to taxes due and payable in the year one thousand nine hundred and forty-seven and thereafter.

Approved April 14, 1947.

CHAPTER 51

AN ACT to amend and supplement "An act to provide for the imposition of a franchise tax upon certain corporations and for the distribution of the proceeds thereof, repealing sections 54:13-1 through 54:13-8 and chapter thirty-two-A of Title 54 of the Revised Statutes, and making an appropriation for the administration of such tax," approved April thirteenth, one thousand nine hundred and forty-five (P. L. 1945, c. 162).

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

Section
amended.

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

C. 54:10A-12.
Payment of
taxes before
dissolution.

12. (a) No corporation organized under the laws of this State shall be dissolved by the action of the stockholders or by the decree of any court, nor shall any such corporation liquidate or distribute any assets in dissolution or liquidation to its stockholders until all corporation franchise taxes, fees, penalties and interest imposed upon said corporation, in accordance with the provisions of this act or of chapters thirteen or thirty-two-A of Title 54 of the Revised Statutes, shall have been fully paid.

(b) No corporation organized under any law of this State or organized under any law of any other State, district, territory or country may merge or consolidate under any law of this State until all taxes, fees, penalties and interest imposed upon said corporation, in accordance with the provisions of this act or of chapters thirteen or thirty-two-A of Title 54 of the Revised Statutes, shall have been fully paid.

Payment of
taxes before
consolidation.

(c) No foreign corporation which employs or owns capital or property in this State or which has obtained authority from this State to transact business in this State may liquidate or distribute such assets in dissolution or liquidation to its stockholders or surrender such authority and withdraw from this State until all taxes, fees, penalties and interest imposed upon said corporation, in accordance with the provisions of this act or of chapters thirteen or thirty-two-A of Title 54 of the Revised Statutes, shall have been fully paid.

Foreign
corporations
to pay before.

(d) No certificate of dissolution or withdrawal shall be issued by the Secretary of State and no certificate of merger shall be filed with him and no decree of dissolution shall be signed by any court until there shall have been filed with the Secretary of State or with the court, as the case may be, the certificate of the commissioner evidencing the payment by the corporation in question of all such taxes, fees, penalties and interest. The commissioner shall be entitled to receive as a fee the sum of five dollars (\$5.00) for the issuance of said certificate. Application for such certificate shall be in such form as may be prescribed by the commissioner.

Certificate
of payment.

Fee.

(e) Any officer or director of any corporation who shall distribute or cause to be distributed any assets in dissolution or liquidation to the stockholders without having first paid all corporation franchise taxes, fees, penalties and interest imposed upon said corporation, in accordance with the provisions of this act or of chapters thirteen or thirty-two-A of Title 54 of the Revised Statutes,

Personal
liability
of officer or
director.

shall be personally liable for said unpaid taxes, fees, penalties and interest to the extent of the value of the assets so distributed. The amount of such personal liability shall be recoverable in any court of competent jurisdiction in an action in debt in the name of the State, and the commissioner shall have such additional remedies for the enforcement and collection thereof as may be available under any other law of this State.

Section
amended.

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

C. 54:10A-16.
Tax a lien.

16. For the privilege year one thousand nine hundred and forty-seven and thereafter, the tax imposed by this act shall constitute a lien on all of the taxpayer's property and franchises on and after January first of the year next succeeding the privilege year in which it is due and payable, and all interest, penalties and costs of collection which fall due or accrue shall be added to and become a part of such lien.

C. 54:10A-29.
Certificate
as to liens

3. (a) Upon the receipt of a written application accompanied by the fee provided for in subsection (b) of this section, the commissioner shall issue to the applicant a certificate certifying with respect to the corporation or corporations listed for certification in the application either that there are no liens in favor of the State for corporation franchise taxes due pursuant to the provisions of this act or of chapters thirteen or thirty-two-A of Title 54 of the Revised Statutes or that there are such liens as may be stated in such certificate or such other status as the commissioner's records may disclose.

Fee.

(b) The fee for a certificate issued pursuant to this section shall be one dollar (\$1.00) for each corporation listed in the application for which a certificate is requested.

Form of
application.

(c) The commissioner may prescribe the form of the application and may require that it shall contain a concise and reasonably definite description of the property and of the type of transaction in connection with which the application is made

as well as such other pertinent information as he may deem necessary.

(d) Any person who shall acquire for a valuable consideration an interest in lands, covered by such a certificate in reliance thereon, shall hold such interest free from any lien held by the State for unpaid corporation franchise taxes due pursuant to the provisions of this act or of chapters thirteen or thirty-two-A of Title 54 of the Revised Statutes and not shown on such certificate.

To hold interest in land free of lien.

4. The commissioner upon written application made to him and upon the payment of a fee of five dollars (\$5.00), may release any property from the lien of any tax, interest or penalty imposed upon any corporation in accordance with the provisions of this act or of chapters thirteen or thirty-two-A of Title 54 of the Revised Statutes, or of any certificate, judgment or levy procured by him; *provided*, payment be made to the commissioner of such sum as he shall deem adequate consideration for such release or deposit be made of such security or such bond be filed as the commissioner shall deem proper to secure payment of any debt evidenced by any such tax, interest, penalty, certificate, judgment or levy, the lien of which is sought to be released, or provided the commissioner is satisfied that payment of the tax is otherwise provided for. The application for such release shall be in such form as shall be prescribed by the commissioner and shall contain an accurate description of the property to be released together with such other information as the commissioner may require. Such release shall be given under the seal of the commissioner, and may be recorded in any office in which conveyances of real estate may be recorded.

C. 54:10A-30.
Release of lien, fee.

Proviso.

Form of application for release.

5. When a corporation franchise tax return shall have been duly filed in accordance with the provisions of this act or of chapters thirteen or thirty-two-A of Title 54 of the Revised Statutes, no tax shall be assessable or payable after ten years from the date of such filing or after one year from the

C. 54:10A-31.
Limitations.

Construing.

effective date hereof, whichever is later. The commissioner is hereby authorized to cancel all assessments of taxes, interest and penalties, the collection of which is barred by the limitations herein provided and to destroy returns and records relating thereto which are rendered useless by the provisions of this act. Nothing herein contained, however, shall affect the rights of the State (a) under any certificate of debt, decree or judgment for taxes, interest and penalties duly recorded with the Clerk of the Supreme Court, or with any county clerk; or (b) to assess and enforce collection of any tax, interest and penalties pursuant to the terms of any bond or other agreement securing the payment of such tax, interest and penalties.

6. This act shall take effect immediately.

Approved April 15, 1947.

CHAPTER 52

AN ACT to amend an act entitled "An act providing for housing for veterans of World War II and other people of the State and declaring an emergency in respect thereto," approved October first, one thousand nine hundred and forty-six.

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 be and the same is amended to read as follows:

C. 55:14G-2.
Terms
defined:

2. The following terms, whenever used or referred to in this act, shall have the following meaning, unless a different meaning clearly appears from the context:

- a. "Authority" means the public housing and development authority in the State Department of Economic Development; Authority;
- b. "Administrator" means the administrator of the public housing and development authority who is the Commissioner of the Department of Economic Development; Administrator;
- c. "Municipality" means any city of any class, or any borough, village, town, township, or other municipality, other than a county or a school district; Municipality;
- d. "Federal Government" and "United States Government" mean the United States of America, or any department, administration, authority, agent, or officer thereof, or any corporation created thereby; Federal government;
- e. "Emergency housing" means such housing or means of shelter in a municipality or other area of this State, whether temporary or permanent or other, as the administrator shall determine will best, most speedily and adequately alleviate in and around such area the shortage of dwelling accommodations, declared by section one hereof to exist. Emergency housing;
- f. "Governing body" means that governmental board or body of a municipality having control or jurisdiction over its financial affairs. Governing body;
- g. "Conversion of property into emergency housing" may mean construction, erection, alteration, conversion, reconstruction, reconversion, furnishing, improving or equipping. Conversion of property.
2. Section seventeen of the act of which this act is amendatory be and the same is amended to read as follows: Section amended.
17. Any municipality, by resolution of its governing body, is hereby authorized and empowered to enter into any contract which the administrator is authorized by this act to execute, and any such municipality is hereby given all powers necessary, convenient or desirable in order to carry out and perform any and all provisions of any such contract, and either a municipality or a housing authority is authorized and empowered to accept C. 55:14G-17. Municipality may contract with administration.

from the administrator any property that has been converted pursuant to this act, and pursuant to a contract with the administrator to operate and manage the same as emergency housing, as hereinbefore provided.

Authorized to
raise and
expend money.

For the purposes hereinbefore specified, including, but not limited to, the construction, erection, alteration, reconstruction, furnishing, improvement and equipping of emergency housing and the installation of the necessary services and facilities, and the acquisition of the necessary land therefor by purchase or condemnation, any municipality subject to the approval of the Director of Local Government of the Department of Taxation and Finance (as shown on the certified copy of the resolution or ordinance, as passed on first reading, authorizing obligations as in this section provided) is hereby authorized and empowered to expend money and to raise the same by any or by a combination of any of the following methods of issuing obligations notwithstanding the provisions of any other law to the contrary, which expenditure and obligation or obligations may be authorized by a resolution except as otherwise herein provided, adopted by the majority of the governing body of said municipality:

Emergency
appropriation.

(1) By the making of an emergency appropriation and issuance of its emergency notes. Such emergency appropriation may be made at any time, notwithstanding that the budget of the municipality for the current year has not been adopted and thereupon emergency notes may be issued in accordance with the provisions of section 40:2-31 of the Revised Statutes. Any emergency notes issued for the financing of emergency housing may be funded by the issuance of emergency housing bonds in the same manner and to the same effect as notes issued in anticipation of such bonds; *provided*, such emergency notes are funded not later than one year from the date of their original issue.

Proviso.

Emergency
housing bonds.

(2) By the issuance of its bonds or notes. Bonds issued pursuant to the provisions of this section

shall be known as "Emergency Housing Bonds," and shall bear interest at a rate not exceeding six per centum (6%) per annum, payable semiannually. All such bonds shall be authorized by an ordinance which shall state the maximum amount of bonds to be issued, the maximum rate of interest to be borne by such bonds, the purpose for the financing of which the bonds are to be issued, the statement of items included in the cost of emergency housing as provided in section 40:1-55 of the Revised Statutes, and a determination of the period of usefulness within the limitations of sections 40:1-34 to 40:1-36 of the Revised Statutes of said purpose, and such ordinance shall be passed by the board or body having charge of finances 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 and mode of procedure prescribed by said law, except that (a) no supplemental debt statement need be filed and said bonds may be issued notwithstanding any debt or other limitation prescribed by said law, (b) no down payment shall be required. Said bonds shall mature within the period of usefulness determined in the authorizing ordinance, commencing not more than one year from the date of said bonds, and no annual installment exceed by more than fifty per centum (50%) the amount of the smallest prior installment of such issue; *provided, however, that* notwithstanding the determination of a lesser period of usefulness in the authorizing ordinance, said bonds may mature in not more than ten annual installments. Such bonds shall be made subject to redemption prior to maturity with or without premium, on any interest payment date on or after five years from their date. The amount of such bonds shall be included in computing the net debt in any supplemental or annual debt statement thereafter made or filed in connection with the subsequent borrowing for other purposes. The governing body of any municipality which shall have

Issuing details.

Maturity.

Proviso.

Powers
conferred,
additional.

Security
for bonds.

adopted an ordinance authorizing the issuance of bonds pursuant to this act may issue negotiable notes in anticipation of the issuance of such bonds and from time to time renew such notes. All such notes including renewals shall mature and be paid in not more than one year from the date of the original note. Such notes may be authorized by a resolution. The bonds shall be general obligations of such municipality and a tax sufficient in amount to pay the principal of and interest on such bonds shall be levied and collected by such municipality in the year in which the same shall become due. The powers herein conferred shall be in addition to the powers conferred by any other laws and bonds may be issued hereunder for the purposes herein provided notwithstanding that other laws may provide for the issuance of bonds for like purposes.

(3) By its bond and mortgage on the real property included within such emergency housing. The obligation of the municipality under the bond shall be a limited obligation which shall be payable solely from the net revenues obtained from the particular emergency housing mortgaged, which net revenues may be pledged from and after the occurrence of a default and only during the duration of such default in the payment of the interest on or the principal of the bond, for the payment of the interest and principal of such bond and for the establishment of such reserves necessary to properly secure such bond, and the pledge of such net revenues and mortgage of the real estate shall be the sole security for the moneys obtained by the incurrence of such an obligation. The lien created by such mortgage may be imposed upon all of the property of whatever nature constituting such emergency housing and the administrator is hereby authorized to execute such agreements which will subordinate any claims which the State may have against such property to both the lien created by said mortgage and such pledge as hereinbefore referred to. Any such mortgage may run for such period of years as the parties shall agree upon.

Notwithstanding the provisions of this or any general or special law the administrator shall have the power to convey such title to the municipality as would enable it to perfect the lien and pledge hereinbefore referred to. No municipality shall finance the costs of any emergency housing by or through the execution of such a bond and mortgage unless it has obtained the approval of the administrator as contained in an agreement with the municipality to so finance such emergency housing. If any emergency housing is financed in part by a bond and mortgage, the provisions of section thirteen of this act shall not apply to such emergency housing.

Administration
may convey
title.

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

Section
amended.

18. In the exercise by any municipality of any of the powers conferred upon it by this act, toward the fulfillment of the purposes of this act, the provisions of chapter two, except as provided in section seventeen and chapter fifty of Title 40 of the Revised Statutes shall not apply to such municipality. Any municipality may, by resolution adopted by the governing body, establish, create and appoint a commission to exercise any of the powers conferred upon it by this act other than the power to authorize the issuance of obligations of the municipality.

C. 55:14G-18.
Provisions
not to apply.

May appoint a
commission.

4. This act shall take effect immediately.

Approved April 16, 1947.

CHAPTER 53

AN ACT concerning elections, and amending section
19:14-27 of the Revised Statutes.

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

Section
amended.

1. Section 19:14-27 of the Revised Statutes is amended to read as follows:

Copy of
legislative act
sent to voter.

19:14-27. Except as provided by section 19:14-33 of this Title, when any question or proposition shall be submitted to the people of the State at any general election or at any election held to vote on a constitutional amendment, there shall be mailed to each registered voter in the same envelope with the sample ballot a printed copy of the act of the Legislature or constitutional amendment which is so submitted; *provided, however*, in counties where sample ballots are so folded that they can be mailed to the registrants without being inserted in envelopes, as permitted by section 19:49-4 of this Title, the commissioner of registration shall make such arrangements for mailing the printed copy of the act of the Legislature or constitutional amendment as are practical to enable each registrant to receive a copy thereof.

Proviso.

2. This act shall take effect immediately.

Approved April 17, 1947.

CHAPTER 54

AN ACT concerning the issuance of bonds or notes by municipalities in which the Local Government Board is or may be functioning as the municipal finance commission, and amending sections 52:27-17, 52:27-25, 52:27-31 and 52:27-44 of the Revised Statutes.

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

1. Section 52:27-17 of the Revised Statutes is amended to read as follows: Section amended.

52:27-17. Such resolutions and any notes or bonds issued thereunder shall not be subject to the limitations or other provisions of any other law. Not subject to limitations. Notwithstanding the provisions of any other law, no notes or bonds issued after December thirty-first, one thousand nine hundred and forty-six by any municipality pursuant to this chapter shall be included in computing either the gross debt or the net debt of the municipality in any annual debt statement or in any supplemental debt statement filed in connection with the authorization of bonds or notes for other purposes, unless, by provision or recital in such resolution or in such notes or bonds, the faith and credit of such municipality shall have been pledged for the payment of principal of or interest on such notes or bonds.

2. Section 52:27-25 of the Revised Statutes is amended to read as follows: Section amended.

52:27-25. Any municipality in which the commission is functioning may levy taxes ad valorem upon all taxable property therein for the purpose of paying the principal of or interest on any notes, bonds or other obligations or indebtedness of such municipality issued under this or any other law, except notes or bonds issued after December thirty-first, one thousand nine hundred and forty- Taxes levied to pay principal and interest.

six pursuant to this chapter for the payment of principal of or interest on which the faith and credit of the municipality shall not have been pledged by provision or recital in such notes or bonds or in the resolution or resolutions providing for the issuance of such notes or bonds, and such municipality may also provide for a reserve fund for the payment of said principal and interest, which fund shall be under the immediate jurisdiction of the sinking fund commissioners or of a financial officer of the municipality, as the commission shall approve.

Reserve fund.

No money shall be withdrawn from said reserve fund or sinking fund for investment or otherwise without the approval of the commission.

Section amended.

3. Section 52:27-31 of the Revised Statutes is amended to read as follows:

Cost of issuing.

52:27-31. The estimated expense of issuing and selling any notes or bonds under this chapter including estimated cost of printing, advertising, attorneys' fees, execution, certification, exchange, delivery, and any other cost or expense in connection with the formulation, approval, acceptance or consummation of a refinancing operation resulting in the issuance of such notes or bonds, and provision for any estimated discount to be incurred upon the sale or exchange of such notes or bonds, and provision for any estimated cost and expense, including counsel fees, of foreclosing or otherwise perfecting titles to real estate acquired at any sale or sales of real estate for delinquent taxes or special assessments, 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.

Section amended.

4. Section 52:27-44 of the Revised Statutes is amended to read as follows:

Sale.

52:27-44. Upon the confirmation of any plan of readjustment approved by the commission, the political subdivision assenting to such plan of re-

adjustment may, by ordinance in the case of a municipality, by resolution in the case of a county, and by resolution of the board of education in the case of a school district governed by the provisions of chapter seven of the Title Education (§ 18:7-1 et seq.), authorize, issue, sell and deliver such bonds, notes or other obligations and enter into such agreements and do such other acts and things as may be required of it pursuant to said plan of readjustment. Such ordinance or resolution, as the case may be, shall not take effect until approved by the commission, and shall provide for the issuance of bonds in one or more series, bearing such date or dates, maturing at such time or times, bearing interest at such rate or rates of interest, not exceeding six per centum (6%) per annum, payable at such time or times, in such denominations, in such form, either coupon or registered, carrying such registration privileges, payable in such medium of payment at such place or places, subject to such terms of redemption, with or without premium, as the commission may approve. The foregoing powers shall be deemed to be in addition to and not in substitution for any powers which such political subdivision would, except for the foregoing grant thereof, have under any other provision of law.

Issuing
details.

5. This act shall take effect immediately.

Approved April 17, 1947.

CHAPTER 55

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

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

Additional
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, Title 27, of the Revised Statutes, add to the present State highway system the following described route: Route No. extending State Highway Route No. 25, at or near its intersection with Westfield avenue, in the township of Pennsauken, county of Camden and State of New Jersey, by direct route to Delaware river bridge on the alignment of or roughly parallel to the alignment of Westfield avenue or Federal street in the township of Pennsauken, and city of Camden, New Jersey.

Numbered.

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

3. This act shall take effect immediately.

Approved April 17, 1947.

CHAPTER 56

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

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

1. The State Highway Commissioner shall, as soon as practicable, and in accordance with the procedure set forth in article one of chapter seven, Title 27, of the Revised Statutes, add to the present State highway system the following described route: Route No. Beginning in the highway added to the State highway system by chapter one hundred fourteen, laws of one thousand nine hundred and forty-six, at a point in its southern part and north of the main branch of Timber creek and running thence, by direct route to State highway Route No. 42 at some point between the south branch of Timber creek and the Beaver Brook branch of Timber creek in the county of Camden, New Jersey.

Additional
route.

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

Numbered.

3. The route hereby established is hereby designated as a freeway as defined in chapter eighty-three of the laws of one thousand nine hundred and forty-five.

Freeway.

4. This act shall take effect immediately.

Approved April 17, 1947.

CHAPTER 57

AN ACT vesting the title to real estate by which John Kane died seized, and which is alleged to have escheated to the State of New Jersey.

Preamble. WHEREAS, John Kane, of the borough of Point Pleasant, in the county of Ocean and State of New Jersey, died on or about August first, one thousand nine hundred and thirty, seized of the real estate described as follows:

Location. ALL that certain lot, tract or parcel of land and premises, hereinafter particularly described, situate, lying and being in the Borough of Point Pleasant, in the County of Ocean and State of New Jersey, designated as Lot Number Seventeen (17) on Map of Homestead of William E. Falkinburgh, deceased.

Description. Beginning at a stake in the Southerly line of First Avenue at the Northeasterly corner of Lot No. 18, as laid down on said map; thence running (1) Southwesterly along the Easterly line of said Lot No. 18, one hundred thirty-three and forty-three hundredths (133.43) feet to line of Lot No. 33; thence (2) Southeasterly along the rear line of said Lot No. 33, forty-eight and one one-hundredths (48.01) feet to corner of Lot No. 16; thence (3) along the Westerly line of said Lot No. 16, Northeasterly one hundred thirty-two and five-tenths (132.5) feet to the Southerly line of said First Avenue; thence (4) Northwesterly along the Southerly line of the same, forty-eight (48) feet to the Beginning.

Preamble. WHEREAS, the said John Kane left no person or persons capable of inheriting the said land and premises, and the same are alleged to have escheated to the State of New Jersey; and

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 John Kane, more particularly described in the preamble of this act, are hereby vested in Elmer J. Lips and Clara Anna Lips, his wife, the survivor and his or her heirs and assigns, to their own proper use, benefit and behoof forever; and such title so as aforesaid vested under the provisions of this act is validated and confirmed. Title vested
in Elmer J.
Lips and wife.

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

Approved April 17, 1947.

CHAPTER 58

A SUPPLEMENT to "An act concerning the State Highway Department and adding a route to the State highway system," approved April eighteenth, one thousand nine hundred and forty-six (P. L. 1946, c. 114).

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

1. The route established by the act to which this act is a supplement is hereby designated as a freeway as defined in chapter eighty-three of the laws of one thousand nine hundred and forty-five. Freeway.

2. This act shall take effect immediately.

Approved April 17, 1947.

CHAPTER 59

A SUPPLEMENT to "An act concerning the practice of professional engineering and land surveying (Revision of 1938), and repealing chapter eight, Title 45, of the Revised Statutes," approved June fourteenth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 342).

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

C. 45:8-50.
Qualifications
for certificate
of registration.

1. The examining board shall be empowered to issue a certificate of registration as "Engineer-in-Training" to an applicant who meets the following qualifications:

(a) is a citizen of the United States and a resident of the State of New Jersey; and

(b) has graduated with a scholastic record satisfactory to the board from an approved course in engineering of four or more years in a school or college approved by the board; or

(c) has a specific record of four years or more of active practice in engineering work of a character satisfactory to the board, and who, in addition, has passed a written examination given by the board designed to show knowledge and skill approximating that attained through graduation from an approved four-year engineering course.

C. 45:8-51.

Application,
fee.

2. The form of application for a certificate of registration as "Engineer-in-Training" shall be furnished by the board and shall be accompanied by a fee of five dollars (\$5.00) and shall contain the names of three references of whom at least one shall be a licensed professional engineer having personal knowledge of the applicant's engineering experience.

C. 45:8-52.
Examination.

3. The scope, time and place of the examination and the methods of procedure shall be prescribed by the board. A candidate failing on first examina-

tion may apply for one re-examination after the expiration of six months and will be re-examined without payment of an additional fee. All subsequent examinations will be granted upon the payment of a fee of five dollars (\$5.00).

4. An applicant who meets the requirements of this act shall receive a certificate of registration as "Engineer-in-Training," which certificate shall remain in effect for a period of five years from the date of issuance.

C. 45:8-53.
Certificate of
registration,
term.

5. It shall be unlawful for any person to use the title "Engineer-in-Training" unless such person is the holder of a valid certificate of registration issued by the board. Violation of the provisions of this act shall be deemed a misdemeanor and punishable, upon conviction thereof, by a fine of not less than one hundred dollars (\$100.00), nor more than five hundred dollars (\$500.00).

C. 45:8-54.
Unlawful to
use title,
penalty.

6. The provisions of this act shall not affect the provisions of the act of which this act is supplementary.

C. 45:8-55.
Sundry
provisions not
to be affected.

7. This act shall take effect immediately.

Approved April 17, 1947.

CHAPTER 60

AN ACT to amend "An act concerning the practice of professional engineering and land surveying (Revision of 1938), and repealing chapter eight, Title 45, of the Revised Statutes," approved June fourteenth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 342).

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

Section
amended.

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

C. 45:8-27.
Professional
engineers
and surveyors
to be licensed.

1. In order to safeguard life, health and property any person practicing or offering to practice professional engineering or land surveying in this State shall hereafter be required to submit evidence that he or she is qualified so to practice and shall be licensed as hereinafter provided and from and after the date upon which this chapter becomes effective, it shall be unlawful for any person to practice or to offer to practice professional engineering or land surveying in this State, or to use the title engineer or surveyor or any other title, sign card or device in such manner as to tend to convey the impression that such person is practicing professional engineering or land surveying or is a professional engineer or land surveyor, unless such person is duly licensed under the provisions of this chapter. Every holder of a license shall display it in a conspicuous place in his principal office, place of business or employment.

License
displayed.

License not
granted to
firms, etc.

No corporation, firm, partnership or association shall be granted a license under this chapter. No corporation, firm, partnership or association shall use or assume a name involving the words "engineers" or "engineering" or any modification or derivative of such terms, unless an executive officer, if a corporation, or a member, if a firm,

partnership or association, shall be a licensed professional engineer of the State of New Jersey if practicing professional engineering, or a licensed land surveyor of the State of New Jersey if practicing land surveying; *provided*, that no corporation, firm, partnership or association shall practice or offer to practice professional engineering or land surveying in this State unless the person or persons in responsible charge of engineering or land surveying work shall be so licensed to practice in this State; *and provided further*, that the person or persons carrying on the actual practice of engineering or land surveying on behalf of or designated as "engineers" or "surveyors," with or without qualifying or characterizing words, by any such corporations, firms, partnerships or associations, shall be licensed to practice professional engineering or land surveying as provided in this chapter.

Proviso.

Proviso.

Nothing in this act shall be construed as requiring licensing for the purpose of practicing professional engineering or land surveying by any person, firm or corporation upon property owned or leased by such person, firm or corporation, unless the same involves the public safety or health.

Construing.

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

Section amended.

13. Any person who, hereafter, is not legally authorized to practice professional engineering or land surveying in this State according to the provisions of this chapter, who shall so practice or offer so to practice in this State, except as provided in section fourteen of this chapter, or any person presenting or attempting to file as his own the certificate of license of another, or who shall give false or forged evidence of any kind to the board, or to any member or representative thereof, in obtaining a certificate of license, or who shall falsely impersonate another licensed practitioner of like or different name, or who shall use or attempt to use an expired certificate of license, or an unexpired

C. 45:8-39.
Penalty for practicing without license.

and revoked certificate of license, or who shall otherwise violate any of the provisions of this chapter, shall be deemed guilty of a misdemeanor and punishable upon conviction thereof by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) or by imprisonment for a term of not exceeding three months, or by both fine and imprisonment.

Disposition of
fines collected.

All fines collected for the violation of any of the provisions of this chapter shall be paid to the secretary of this board to be held, disposed and accounted for by him as herein directed, and it shall be the duty of the county treasurer of each county, or the treasurer of any municipality, upon receipt by him of any such fine, to forthwith pay over same to the secretary of the board. The board or any member or officer thereof may prefer a complaint for violation of this chapter before any court, tribunal or magistrate having jurisdiction and may by its officers, counsel and agents, aid in presenting the law or facts before said court, tribunal or magistrate in any proceeding taken thereon, and it shall be the duty of the prosecutor of the pleas of the counties in this State to prosecute all violations of the provisions of this chapter.

3. This act shall take effect immediately.

Approved April 17, 1947.

CHAPTER 61

AN ACT permitting the borough of Chatham, in the county of Morris, to provide for the payment of a pension to Wesley R. Conklin.

WHEREAS, Wesley R. Conklin, a resident of the borough of Chatham, in the county of Morris and State of New Jersey, has served the borough of Chatham in various capacities since its incorporation in 1897 and, particularly, has served as an officer in the police department since 1921, rendering excellent, efficient and faithful service to the borough of Chatham in the performance of his duties; and Preamble.

WHEREAS, The said Wesley R. Conklin is no longer physically able to conduct his duties; and Preamble.

WHEREAS, The borough of Chatham does not have in force and effect any pension that would inure to the benefit of the said Wesley R. Conklin; therefore, Preamble.

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

1. The borough of Chatham, in the county of Morris and State of New Jersey, is authorized to grant and pay to Wesley R. Conklin, for the remainder of his natural life, a pension, to be effective upon the passage of this act, in the sum of seventy-five dollars (\$75.00) per month, which pension shall be paid in monthly installments. Authorized to pay pension.

2. If the said pension is granted, the said borough of Chatham shall provide in its annual budget, after the passage of this act, for the payment to the said Wesley R. Conklin of the aforementioned pension, and from the date of the passage of this act until the adoption of its next annual Payment of pension.

budget, the borough shall pay such pension from any fund or funds available therefor.

3. This act shall take effect immediately.

Approved April 17, 1947.

CHAPTER 62

AN Act concerning State aid to municipalities for the construction, reconstruction, grading, drainage, maintenance, lighting and repair of municipal roads; amending section 27:15-1 of the Revised Statutes; repealing sections 27:15-2 to 27:15-6, inclusive, 27:15-9 to 27:15-15, inclusive, and 27:15-18 of the Revised Statutes; repealing "An act concerning highways, and supplementing chapter fifteen of Title 27 of the Revised Statutes," passed June twenty-second, one thousand nine hundred and forty-two (P. L. 1942, c. 261), and "An act concerning State aid for the construction, reconstruction, grading, drainage, maintenance and repair of certain city, town, township, village and borough roads, and amending section 27:15-1 of the Revised Statutes," approved April thirtieth, one thousand nine hundred and forty-six (P. L. 1946, c. 196); and supplementing chapter fifteen of Title twenty-seven of the Revised Statutes.

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

Section
amended.

1. Section 27:15-1 of the Revised Statutes is amended to read as follows:

State aid to
municipalities,
amount.

27:15-1. A. There shall be set aside annually on October first or as soon thereafter as available from the net receipts of the motor vehicle revenues

in the General State Fund the sum of three million, nine hundred fifty thousand dollars (\$3,950,000.00) and such additional amounts as may be necessary to meet the requirements of subsection E of this section. Such sums shall be used to meet the State's share of the cost of the work as in this chapter prescribed. Payments from these amounts shall be made in the same way as other payments from the motor vehicle revenues.

B. As used in this chapter.

Terms defined:

"Municipality" means any city, town, township, borough or village in this State;

Municipality;

"Municipal roads" means the public roads or streets of any municipality as hereinabove defined.

Municipal roads.

C. The sums set aside as hereinabove provided shall be made available by the State Highway Commissioner to the several municipalities in the State in the manner, to the extent and in the proportion herein provided, for the construction, reconstruction, grading, drainage, maintenance, lighting or repair of municipal roads, or any other purpose permitted by this chapter.

Purpose and use of fund.

D. On or before December tenth of each year the State Highway Commissioner shall notify the governing body of each municipality of the amount of State aid available for such municipality for the purposes hereinabove provided, and applicable to the ensuing calendar year. Except as provided in subsection E of this section: the amount of such State aid to any municipality shall be such as shall result from the application of the average of the following two percentages, namely:

Notified of amount available.

(1) The percentage of population in such municipality to the total population of the State based upon the latest official Federal census; and

(2) The percentage of municipal road mileage in such municipality to the total municipal road mileage in the State;

Proviso. to the sum of three million, nine hundred fifty thousand dollars (\$3,950,000.00) set aside in accordance with the provisions of this section; *provided, however*, that the amount of such State aid available hereunder to any municipality in any year shall in no event be less than the average annual amount of State aid allotted to such municipality under the provisions of this chapter during the ten-year period commencing with the calendar year one thousand nine hundred and thirty-six; nor more than either such average annual amount or thirty-eight per centum (38%) of the average annual expenditures of such municipality, exclusive of State aid, as shown in the annual budgets of such municipality, for the purposes hereinabove provided, during the five-year period commencing with the calendar year one thousand nine hundred and forty-one, whichever is the greater.

Minimum amount. E. The total amount of such State aid available to all municipalities in any county of the State, for the purposes hereinabove provided, shall not, in any year, be less than the sum of one hundred fifty thousand dollars (\$150,000.00).

Amount increased to minimum. If, in any year, the total amount of such State aid available to all municipalities in any county of the State shall, as determined by the method prescribed in subsection D of this section, be less than the sum of one hundred fifty thousand dollars (\$150,000.00), then the amount which shall be available to each municipality in such county, as determined by the method prescribed in subsection D of this section, shall be increased proportionately so that the aggregate amount of such State aid available to all of the municipalities in such county shall total one hundred fifty thousand dollars (\$150,000.00).

May include in budget. F. It shall be lawful for each municipality to include the amount of such State aid made available for it in its budget. All such amounts shall be available to the State Highway Commissioner for allotment to said municipalities in accordance with the provisions of this chapter. Commitments may

be made, subject to the provisions of this chapter, against said amounts by said municipalities, immediately after the beginning of the calendar year next ensuing the date of notification by the State Highway Commissioner as required by the provisions of subsection D of this section.

G. All roads, works and improvements constructed or reconstructed in any municipality with State aid under this chapter shall be maintained by such municipality in accordance with such standards as the State Highway Commissioner shall prescribe.

To comply with prescribed standards.

2. The governing body of any municipality desiring to avail itself of the State aid provided in section 27:15-1 of the Revised Statutes shall, on or before the first day of March following receipt of the notification of amount of State aid available to it as provided for in said section, file with the State Highway Commissioner a schedule, approved by resolution of the governing body of such municipality, setting forth all work proposed to be undertaken by such municipality in which all or any part of such State aid is to be used, together with the respective estimated costs thereof. When requested by the State Highway Commissioner, any such municipality shall file with said commissioner the latest official map of such municipality showing all municipal roads of such municipality and indicating those which are improved and those which are unimproved, setting forth the mileage of each.

C. 27:15-1.1.
Schedule of proposed work filed.

Map filed upon request.

3. The State Highway Commissioner may, on application of any municipality, extend the date for filing the schedule referred to in section two hereof.

C. 27:15-1.2.
May extend filing time.

4. All work undertaken by any municipality, in which all or any part of the State aid, provided in section 27:15-1 of the Revised Statutes is used, shall be performed in accordance with such standards as the State Highway Commissioner shall prescribe.

C. 27:15-1.3.
To comply with prescribed standards.

5. In any case where any such State aid is to be expended for construction or reconstruction work,

C. 27:15-1.4.
Schedule to provide for engineering and planning.

the schedule referred to in section two hereof shall provide for any necessary engineering and planning work to be performed by the municipality.

C. 27:15-1.5.
Entire cost
paid by State.

6. In any case where any such State aid is to be expended for the construction of any municipal road between curbs and gutters, where such curbs and gutters have heretofore been laid at the cost of the municipality and are in existence at the time the schedule referred to in section two hereof is filed, the State shall participate, within the limits of such State aid herein prescribed, in the entire cost of the construction of the road between the gutters regardless of the width thereof.

C. 27:15-1.6.
Aid to include
all phases
of work.

7. In any case where any such State aid is to be expended for construction work, such work shall include, in addition to constructing the road, the survey and preparation of plans, profiles and cross sections, the grading and drainage of the road and the construction of the necessary culverts and bridges, the construction and maintenance of which is by law imposed upon the municipal authorities, together with the cost of necessary embankments and retaining walls, engineering fees and the cost of the acquisition of the necessary rights of way.

C. 27:15-1.7.
Plans and
specifications
to be approved.

8. In any case where any such State aid is to be expended for construction or reconstruction work, there shall be filed by the municipality with the State Highway Commissioner plans and specifications therefor, approved by resolution of the governing body of such municipality; and no such construction or reconstruction work shall be undertaken by such municipality unless such plans and specifications therefor have been approved by the State Highway Commissioner.

C. 27:15-1.8.
Payment of
State's share.

9. On or before the thirtieth day of June following the filing of a schedule by any municipality as required pursuant to the provisions of section two hereof, there shall be disbursed to such municipality, out of the amount of State aid made available to it pursuant to the provisions of section 27:15-1 of the Revised Statutes, in accordance with such regulations as the State Highway Commissioner

shall prescribe, the State's share of the cost, as shown in such schedule, for maintenance, lighting and repair of the municipal roads of such municipality.

During the month of January in the year following that in which such State aid was disbursed, such municipality shall file with the State Highway Commissioner a report, on such form as the commissioner shall prescribe. Such report shall include a statement setting forth all expenditures made by such municipality out of, or obligations incurred by it against, such State aid. In the event that any part of such State aid has not been expended for any of the aforementioned purposes, and is not required to meet obligations incurred for any of such purposes against such State aid, the State Highway Commissioner shall deduct an amount equal to such amount unexpended and not required to meet such obligations, from any amount of State aid made available to such municipality in accordance with the provisions of section 27:15-1 of the Revised Statutes and applicable to the calendar year in which the report mentioned in this paragraph is made. The State Highway Commissioner shall cause the amount so deducted to be reserved to the credit of such municipality in the same manner, and subject to the same terms, as if such municipality had requested such reservation, prior to disbursement to it of such amount, in accordance with the provisions of section thirteen of this act.

10. Disbursement of all or any part of the amount of State aid made available to any municipality pursuant to the provisions of section 27:15-1 of the Revised Statutes and required in the construction or reconstruction of municipal roads in such municipality shall be made on approval by the State Highway Commissioner of the application of such municipality therefor directed to him. The application shall be made on such form as the State Highway Commissioner shall prescribe, and shall include a statement setting forth the work per-

Report filed.

Contents.

Unexpended
balance
credited to
municipality.

C. 27:15-1.9.
All disburse-
ments to be
approved.

Form of
application.

formed and the detailed cost thereof. Disbursement may be made, under such regulations as the State Highway Commissioner shall prescribe, during the progress of such work, final payment to be made upon completion thereof.

C. 27:15-1.10.
State's share
not to exceed
90% of cost.

11. The State's share of the cost of any work undertaken pursuant to the provisions of this act shall not exceed ninety per centum (90%) of the total cost of such work.

C. 27:15-1.11.
May request
freeholders to
perform work

12. Any municipality which has filed a schedule with the State Highway Commissioner, as required pursuant to the provisions of section two hereof, may request the board of chosen freeholders of the county wherein such municipality is situated to perform any or all of the work proposed to be performed on the part of such municipality by such schedule, whereupon such board of chosen freeholders shall, if it agrees to so perform such work, enter into a written agreement with such municipality.

Agreement.

Such agreement shall set forth the work to be performed by such board and the amounts, exclusive of State aid available to such municipality for such work, to be borne by the board and the municipality respectively. The amount required to be so borne by the municipality shall be paid by it to the board prior to the commencement of such work. Upon receipt by such municipality of any amounts of State aid disbursed by the State Highway Commissioner for such work, such municipality shall thereupon pay the same forthwith to said board of chosen freeholders.

Approval of
agreement.

Any such agreement entered into between said board and municipality shall become effective only upon approval thereof by the State Highway Commissioner, whereupon the work of said board required pursuant to such agreement shall be performed by it in accordance with such regulations as the State Highway Commissioner shall prescribe.

13. Notwithstanding the provisions of any other law to the contrary:

C. 27:15-1.12.
Request to
reserve to
credit of
municipality.

Any municipality may, on or before the first day of March following receipt of the notification provided for in subsection D of section 27:15-1 of the Revised Statutes, submit to the State Highway Commissioner a written request to reserve to the credit of such municipality all or any portion of the State aid made available to it pursuant to such notification; such amount of State aid to be used by such municipality, during any of the three calendar years next ensuing the receipt of such notification, for any of the purposes, and in accordance with the provisions, of this act.

Such request shall contain a statement to the effect that such municipality does not intend to use such amount of State aid during the year in which the same is made applicable pursuant to the provisions of section 27:15-1 of the Revised Statutes. Upon receipt of such request, the State Highway Commissioner shall cause to be reserved to the credit of such municipality said amount of State aid; and such amount may be used by such municipality for any of the purposes and in accordance with the provisions of this act, during any of the three calendar years next ensuing the receipt of the notification provided for in subsection D of section 27:15-1 of the Revised Statutes. Any amount of the sum so reserved to the credit of such municipality remaining unused by such municipality at the expiration of such three-year period shall lapse and become part of the motor vehicle revenues in the General State Fund.

Contents of
request.

When reserve
to be used.

Funds to
lapse.

14. Notwithstanding the provisions of any other law to the contrary:

C. 27:15-1.13.
Aid to lapse
unless request
filed.

Unless reserved as provided in this act, any amount of the State aid made available to any municipality pursuant to the provisions of section 27:15-1 of the Revised Statutes remaining undistributed to such municipality at the expiration of the calendar year in which the same is by said sections applicable and not required to meet any

obligations incurred during said year by such municipality under said allotment, shall lapse and become part of the motor vehicle revenues in the General State Fund.

C. 27:15-1.14.
Additional
aid.

15. A. Exclusive of the sum set aside in accordance with the provisions of section 27:15-1 of the Revised Statutes, there shall be set aside annually on October first, as soon thereafter as available from the net receipts of the motor vehicle revenues in the General State Fund the sum of one million fifty thousand dollars (\$1,050,000.00), which shall be used to meet the State's share of the cost of the work hereinafter in this section prescribed during the calendar year next ensuing the setting aside of such sum. Payments from these amounts shall be made in the same way as other payments from the motor vehicle revenues.

Each county's
share.

B. The State Highway Commissioner shall reserve from the sum set aside in accordance with the provisions of subsection A of this section the sum of fifty thousand dollars (\$50,000.00) to meet the State's share in each county during such ensuing calendar year. The sum so reserved shall be made available by the State Highway Commissioner to the several municipalities in such county in the manner prescribed in this section, for the construction or reconstruction of municipal roads.

Application
for aid.

C. Any municipality may on its own motion apply to the State Highway Commissioner for aid in construction or reconstruction under this section. The application shall be on such form as the commissioner shall prescribe and may be passed by resolution of the governing body of the municipality at any meeting. It shall set forth the road or roads on which it is proposed that the work shall be done and the beginning and ending points of such work, and the amount of money the governing body may be authorized to spend on such work, including contributions thereto. The State Highway Commissioner shall decide which of such applications in any county will best serve the interests of the municipality, county and State. He

shall, upon approval of any such application, notify the governing body of the municipality of the same and shall thereupon enter into a written agreement with such municipality for the necessary planning and surveying and for the actual work and the inspection thereof.

D. The total of all sums made available to all municipalities in any county under the provisions of this section shall in no calendar year, except as otherwise provided in subsection G of this section, exceed the said sum of fifty thousand dollars (\$50,000.00) reserved to meet the State's share in such county during such year. Maximum amount.

E. All work undertaken by any municipality in which all or any part of the State aid provided for in this section is used shall be performed in accordance with such standards as the State Highway Commissioner shall prescribe. To comply with prescribed standards.

F. The State's share of the cost of any work undertaken pursuant to the provisions of this section shall not exceed ninety per centum (90%) of the total cost of such work. State's share not to exceed 90% of costs.

G. If in any calendar year any part of the said fifty thousand dollars (\$50,000.00) reserved to meet the State's share in any county during such year remains uncommitted, the sum so remaining at the expiration of such calendar year shall be reserved by the commissioner for application by the municipalities within such county, in accordance with the provisions of this section, during any of the three calendar years next ensuing; and the sum so reserved shall, unless distributed to the municipalities in such county in accordance with the provisions of this section within such three calendar years, lapse and become part of the motor vehicle revenues in the General State Fund. Uncommitted funds reserved.

Funds to lapse.

H. When an application and agreement for State aid under the provisions of this section have been submitted to the commissioner, and work or services contemplated under the provisions of this section have been authorized by the governing body of the municipality, and part of the work has been Payment by State.

done or services have been rendered and estimates or bills covering the cost thereof have been submitted to said governing body and to the commissioner and approved by the commissioner, the commissioner shall, within the limits prescribed in this section, pay the proportionate share of the cost of the estimate or bill as set forth in the application and agreement; *provided*, the application and agreement for State aid to the municipality have been approved by the commissioner and funds have been allotted to the proposed work. No estimate or bill shall be paid until the work or services are first approved by the commissioner.

Proviso.

May request freeholders to perform work.

I. Upon notification by the State Highway Commissioner of approval of its application for State aid under the provisions of this section, as provided for in subsection C hereof, the municipality may request the board of chosen freeholders of the county wherein such municipality is situated to perform any or all of the work proposed to be performed on the part of such municipality with the allotment of State aid to be available to such municipality pursuant to such approved application, whereupon such board of chosen freeholders shall, if it agrees to so perform such work, enter into a written agreement with such municipality. Such agreement shall set forth the work to be performed by such board and the amounts, exclusive of State aid available to such municipality for such work pursuant to such approved application, to be borne by the board and municipality respectively.

Agreement, contents.

Payment to the board.

The amount required to be so borne by the municipality shall be paid by it to the board prior to the commencement of such work. Upon receipt by such municipality of any amounts of State aid disbursed by the State Highway Commissioner for such work, pursuant to the provisions of this section, such municipality shall thereupon pay the same forthwith to said board of chosen freeholders. Any such agreement entered into between said board and municipality pursuant to the provisions of this subsection, shall become effective only upon

approval thereof by the State Highway Commissioner, whereupon the work of said board required pursuant to such agreement shall be performed by it in accordance with such regulations as the State Highway Commissioner shall prescribe.

16. Sections 27:15-2 to 27:15-6, inclusive, 27:15-9 to 27:15-15, inclusive, and 27:15-18 of the Revised Statutes and "An act concerning highways, and supplementing chapter fifteen of Title 27 of the Revised Statutes," passed June twenty-second, one thousand nine hundred and forty-two (P. L. 1942, c. 261), are hereby repealed; *provided, however,* that the provisions thereof shall continue to apply with full force and effect to any work, or any agreement with respect thereto, undertaken or to be undertaken, or entered into, pursuant to the provisions of such sections, with State aid therefor apportioned or distributed or to be apportioned or distributed from net receipts of the motor vehicle revenues set aside prior to the first day of January, one thousand nine hundred and forty-seven, or from any sum appropriated to carry out the purposes and provisions of "An act concerning county and municipal budgets," approved February thirteenth, one thousand nine hundred and forty-seven (P. L. 1947, c. 4).

17. The following act is hereby repealed: "An act concerning State aid for the construction, reconstruction, grading, drainage, maintenance and repair of certain city, town, township, village and borough roads, and amending section 27:15-1 of the Revised Statutes," approved April thirtieth, one thousand nine hundred and forty-six (P. L. 1946, c. 196).

18. This act shall take effect on the thirtieth day of June, one thousand nine hundred and forty-seven.

Approved April 17, 1947.

C. 27:15-1.15.
Sundry
sections
repealed.

Proviso.

C. 27:15-1.16.
Ch. 196, P. L.
1946, repealed.

C. 27:15-1.17.
Act effective.

CHAPTER 63

AN ACT concerning disabled veterans and veteran preference in Civil Service certifications, and amending section 11:27-1 of the Revised Statutes.

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

Section amended.	1. Section 11:27-1 of the Revised Statutes is amended to read as follows:
Terms defined: Commission;	11:27-1. As used in this subtitle: "Commission" means the Civil Service Commission of this State.
Appointing authority;	"Appointing authority" means a commission, board, person or group of persons having the power authorized by law, or by reason of a lawfully delegated authority, to make appointments.
War service;	"War service" means service by a veteran, as hereinafter defined, in any war, uprising, insurrection or expedition mentioned in this section during the periods specified.
Veteran with disability;	"Veteran with a record of disability incurred in line of duty" means any veteran as hereinafter defined who is eligible under the United States veterans' bureau qualifications for compensation for service-connected disability from World War service or who is receiving or who is entitled to receive equivalent compensation for service-connected disability arising out of such other military or naval service hereinafter defined, and has presented to the Civil Service Commission of New Jersey full and convincing evidence of such record of disability incurred in line of duty on or before the announced closing date for filing applications for a particular examination.
Veteran.	"Veteran" means any honorably discharged soldier, sailor, marine or nurse who served in any army or navy of the allies of the United States in World War I, between July fourteenth, one thou-

sand nine hundred and fourteen, and November eleventh, one thousand nine hundred and eighteen, or who served in any army or navy of the allies of the United States in World War II, between September first, one thousand nine hundred and thirty-nine, and September second, one thousand nine hundred and forty-five, and who was inducted into such service through voluntary enlistment, and was a citizen of the United States at the time of such enlistment, and who did not, during or by reason of such service, renounce or lose his United States citizenship, and any soldier, sailor, marine, nurse or army field clerk, who has served in the active military or naval service of the United States and has or shall be discharged or released therefrom under conditions other than dishonorable, in any of the following wars, uprisings, insurrections or expeditions, and who has presented to the Civil Service Commission of New Jersey full and convincing evidence of such record of service on or before the announced closing date for filing applications for a particular examination:

(1) The Indian wars and uprisings during any of the periods recognized by the War Department of the United States as periods of active hostility;

(2) The Spanish-American War between April twentieth, one thousand eight hundred and ninety-eight, and April eleventh, one thousand eight hundred and ninety-nine;

(3) The Philippine insurrections and expeditions during the periods recognized by the War Department of the United States as of active hostility from February fourth, one thousand eight hundred and ninety-nine, to the end of one thousand nine hundred and thirteen;

(4) The Peking relief expedition between June twentieth, one thousand nine hundred, and May twenty-seventh, one thousand nine hundred and two;

(5) The army of Cuban occupation between July eighteenth, one thousand eight hundred and ninety-

eight, and May twentieth, one thousand nine hundred and two;

(6) The army of Cuban pacification between October sixth, one thousand nine hundred and six, and April first, one thousand nine hundred and nine;

(7) The Mexican punitive expedition between March fourteenth, one thousand nine hundred and sixteen, and February seventh, one thousand nine hundred and seventeen;

(8) The Mexican border patrol, having actually participated in engagements against Mexicans between April twelfth, one thousand nine hundred and eleven, and June sixteenth, one thousand nine hundred and nineteen;

(9) World War I between April sixth, one thousand nine hundred and seventeen, and November eleventh, one thousand nine hundred and eighteen;

(10) World War II, between September sixteenth, one thousand nine hundred and forty, and September second, one thousand nine hundred and forty-five, who shall have served at least ninety days in such active service, exclusive of any period he was assigned (1) for a course of education or training under the Army Specialized Training Program or the Navy College Training Program which course was a continuation of his civilian course and was pursued to completion, or (2) as a cadet or midshipman at one of the service academies, any part of which ninety days was served between said dates; *provided*, that any person receiving an actual service incurred injury or disability shall be classed as a veteran whether or not he has completed the ninety-day service as herein provided.

Proviso.

2. This act shall take effect immediately.

Approved April 17, 1947.

CHAPTER 64

AN ACT respecting the issuance of hunting and fishing licenses, and amending section 23:3-7 of the Revised Statutes.

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

1. Section 23:3-7 of the Revised Statutes is amended to read as follows: Section amended.

23:3-7. The licenses and buttons shall be procured from the clerk of any county or municipality or a salaried warden of this State. The license shall state the name, age, occupation and residence of the licensee and any other facts the Division of Fish and Game requires. It shall be signed by the licensee in ink and, shall be signed by the clerk or warden issuing same. Issuance of licenses and buttons.

The applicant for a license shall report to the person issuing it, all fish, birds, animals and vermin killed by him during the previous calendar year, and the issuing agency shall fill out this report on the blank provided before issuing a license to the applicant. Every applicant for a license shall prove to the satisfaction of the clerk or warden to whom application is made for a license, that he is entitled to the license for which he applies.

2. This act shall take effect immediately.

Approved April 17, 1947.

CHAPTER 65.

AN Act concerning State Police, amending sections 53:1-2, 53:1-3, 53:1-4 and 53:1-5 of the Revised Statutes, supplementing Title 53 of the Revised Statutes and repealing "A supplement to an act entitled 'An act creating a Department of State Police, providing for the appointment of a superintendent thereof, together with the officers and men who shall constitute the force, defining their powers and duties, and making an appropriation for the expenses connected therewith,' passed March twenty-ninth, one thousand nine hundred and twenty-one," approved June fourteenth, one thousand nine hundred and thirty-two (P. L. 1932, c. 216); "An act providing for the appointment of thirteen additional troopers to the Department of State Police, and making an appropriation therefor," approved September twenty-first, one thousand nine hundred and forty (P. L. 1940, c. 191) and "An act concerning the Department of State Police and making an appropriation therefor," approved December twenty-third, one thousand nine hundred and forty-one (P. L. 1941, c. 394).

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

Section
amended.

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

Superintendent,
appointment, term.

53:1-2. The Superintendent of State Police, hereinafter referred to as the superintendent, shall be appointed by the Governor, by and with the advice and consent of the Senate, for a term of five years, and shall be removable by the Governor after charges have been preferred and a hearing granted.

The superintendent shall receive an annual salary of ten thousand dollars (\$10,000.00) unless otherwise provided by law, payable semimonthly, and shall, before entering upon the duties of his office, give a bond to the State of New Jersey in the sum of twenty thousand dollars (\$20,000.00) for the faithful performance of his duties.

Salary, bond.

2. Section 53:1-3 of the Revised Statutes is amended to read as follows:

Section amended.

53:1-3. The superintendent may appoint a deputy superintendent with the rank of major at an annual salary of not less than seven nor more than nine thousand dollars, payable semimonthly.

Deputy superintendent, salary.

3. The superintendent may appoint an executive officer, with the rank of major, at an annual salary of not less than seven nor more than nine thousand dollars, payable semimonthly.

C. 53:1-3.1. Executive officer, salary.

4. Section 53:1-4 of the Revised Statutes is amended to read as follows:

Section amended.

53:1-4. The superintendent, the deputy superintendent and the executive officer of State Police, as well as the captain or lieutenant of each troop, in order to be eligible to an appointment as such, shall be a citizen of the United States and shall be appointed on the basis of training, experience and administrative qualifications required for the responsibilities of the office.

Qualifications to hold office.

A commissioned officer in the State Police shall be eligible to promotion to the rank of captain or to ranks above that of captain, and a noncommissioned officer shall be eligible to promotion to the rank of lieutenant.

Promotions.

5. Section 53:1-5 of the Revised Statutes is amended to read as follows:

Section amended.

53:1-5. The Department of State Police in addition to the superintendent, the deputy superintendent and the executive officer shall consist of:

Organization and personnel of department.

a. A headquarters staff and three troops.

b. Officers and men, the number of each grade of which shall be substantially as follows:

One captain inspector; four captains; thirteen lieutenants; two staff sergeants; four first ser-

geants; thirty sergeants; twenty corporals; ten first-class detectives; twenty second-class detectives and two hundred and eighty troopers.

C. 53:1-27.
Training
of members.

6. Within the limits of the appropriation granted, the superintendent may provide suitable quarters, equipment and teaching staff for the training of the members of the department and any other law enforcement officers of the State, county or municipality as may be authorized by the Governor.

C. 53:1-28.
Sundry acts
repealed.

7. "A supplement to an act entitled 'An act creating a Department of State Police, providing for the appointment of a superintendent thereof, together with the officers and men who shall constitute the force, defining their powers and duties, and making an appropriation for the expenses connected therewith,' passed March twenty-ninth, one thousand nine hundred and twenty-one," approved June fourteenth, one thousand nine hundred and thirty-two; "An act providing for the appointment of thirteen additional troopers to the Department of State Police, and making an appropriation therefor," approved September twenty-first, one thousand nine hundred and forty; and "An act concerning the Department of State Police and making an appropriation therefor," approved December twenty-third, one thousand nine hundred and forty-one, are repealed.

8. This act shall take effect immediately.

Approved April 17, 1947.

CHAPTER 66

AN ACT concerning the powers of gas companies,
and amending section 48:9-17 of the Revised
Statutes.

BE IT ENACTED *by the Senate and General Assem-
bly of the State of New Jersey*:

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

48:9-17. Every company organized under this
chapter may manufacture, sell and furnish such
quantities of gas suitable for light, heat or power
as may be required in the municipality or municipa- Powers of gas
companies.
lities where the same shall be located, or its
operations lawfully extended.

Every such company may lay conductors for con-
ducting gas through the streets, alleys, squares and
public places in any municipality or municipalities
in which it may lawfully operate, having first ob-
tained the consent by resolution or ordinance of
the governing body of such municipality for the
furnishing of gas therein and the approval of such
consent by the Board of Public Utility Commis-
sioners. The consent may be subject to reasonable
regulations with respect to the opening of streets,
alleys, squares and public places, not inconsistent
with the provisions of this article.

2. This act shall take effect immediately.

Approved April 17, 1947.

CHAPTER 67

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-eight, and regulating the disbursement thereof.

ANTICIPATED REVENUES FOR THE FISCAL YEAR 1947-48

<i>Revenues</i>		
Anticipated revenue.	Transfer inheritance taxes	\$8,500,000 00
	Main stem and franchise-excise taxes	9,000,000 00
	Miscellaneous corporation taxes, domestic and foreign	7,000,000 00
	Domestic life insurance corporation taxes	1,000,000 00
	Beverage taxes	13,500,000 00
	Beverage licenses	650,000 00
	Revenue from pari-mutuel racing..	7,000,000 00
	Hunters' and anglers' licenses	650,000 00
	Foreign insurance corporation taxes	4,500,000 00
	Fertilizer inspection fees, et cetera	95,000 00
	Outdoor advertising permits	65,000 00
	Department of Banking and Insur- ance	1,050,000 00
	Secretary of State	375,000 00
	Clerk in Chancery	450,000 00
	Escheats from Chancellors trust fund	750,000 00
	Clerk of the Supreme Court	70,000 00
	Real Estate Commission	110,000 00
	Board of Beauty Culture Control..	90,000 00
	Board of Barber Examiners	63,000 00
	Commissions	60,000 00
	Department of Conservation, Di- vision of Navigation	13,000 00

Department of Conservation, excess water diversion fees	115,000 00
Department of Conservation, Di- vision of Shell Fisheries	35,000 00
Department of Labor	130,000 00
Department of Labor (from dedi- cated receipts)	50,000 00
Dividends	18,870 00
Counties repayment of advances for purchase of voting machines	150,000 00
Athletic Commissioner	130,000 00
Division of Local Government	85,000 00
Department of Health	120,000 00
Rabies control licenses	80,000 00
Tenement House Supervision	16,000 00
Department of Conservation (re- ceipts Morris canal fund)	17,000 00
Department of Conservation, Di- vision of Forestry, et cetera	20,000 00
Department of Conservation (State forest fund receipts)	30,000 00
Public Utility Tax (Administra- tion)	21,928 00
Department of Weights and Meas- ures	60,000 00
Academic Certificate Fund	18,000 00
Manual Training and Industrial School for Colored Youth	63,000 00
School for the Deaf	6,000 00
State Teachers College, Glassboro:	
Extension fees	8,000 00
Tuition fees	30,000 00
Dormitory fees	64,200 00
Miscellaneous receipts	1,200 00
State Teachers College, Jersey City:	
Extension fees	14,000 00
Tuition fees	50,000 00
State Teachers College, Newark:	
Extension fees	36,000 00
Tuition fees	37,000 00
State Teachers College, Paterson:	
Extension fees	20,500 00
Tuition fees	30,000 00

State Teachers College, Montclair:	
Extension fees	37,500 00
Tuition fees	65,000 00
Dormitory fees, cafeteria-board-	
ing hall fees	90,000 00
State Teachers College, Trenton:	
Extension fees	9,500 00
Tuition fees	55,000 00
Dormitory fees, cafeteria-board-	
ing hall fees	130,000 00
State Board of Examiners	17,500 00
Agricultural Experiment Station ..	67,000 00
Department of Agriculture	5,000 00
Milk control licenses and fees	110,000 00
Rehabilitation Commission	1,000 00
Colony for Feeble-Minded Males,	
New Lisbon	210,000 00
Colony for Feeble-Minded Males,	
Woodbine	160,000 00
Home for Disabled Soldiers, Menlo	
Park (Federal Aid)	22,000 00
Home for Disabled Soldiers, Menlo	
Park (State)	500 00
Home for Disabled Soldiers, Vine-	
land (Federal Aid)	10,590 00
Home for Disabled Soldiers, Vine-	
land (State)	500 00
North Jersey Training School,	
Totowa	160,000 00
Reformatory, Annandale	1,000 00
Reformatory, Rahway	500 00
Sanatorium for Tuberculous Dis-	
eases	100,000 00
State Home for Boys	17,000 00
State Home for Girls	12,000 00
State Hospital, Greystone Park ...	1,430,000 00
State Board of Children's Guard-	
ians (Federal Aid)	128,000 00
State Hospital, Marlboro	675,000 00
State Hospital, Trenton	700,000 00
State Prison	500 00
Village for Epileptics	310,000 00

Vineland State School	270,000 00
Interest on railroad taxes in arrears (old)	950,000 00
Miscellaneous sources	115,000 00
Tax on motor fuels	26,000,000 00
Motor vehicle fees, fines, et cetera..	25,000,000 00
Motor vehicle inspection fees	1,000,000 00
Bus excise tax	85,000 00
Miscellaneous highway revenues ..	150,000 00
Federal Aid, highway construction (1947-48)	7,435,686 00
Total revenues	<u>\$121,978,474 00</u>

Interfund Transfers

From Miscellaneous Dedicated Funds	\$257,447 05
From School Fund	455,000 00
From 1837 Surplus Revenue Fund.	18,000 00
From Post-War Reserve Account..	38,338,441 57
Total transfers	<u>\$39,068,888 62</u>

Nonrevenue Receipts

Sale of Highway Bonds	<u>\$7,400,000 00</u>
Total available resources	<u><u>\$168,447,362 62</u></u>

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

1. The appropriations herein made or so much thereof as may be necessary are hereby appropriated for the respective public officers and for the several purposes herein specified for the fiscal year ending on the thirtieth day of June, one thousand nine hundred and forty-eight. The appropriations herein made for debt service, for State aid to counties and municipalities under R 3, and for

Annual appropriations.

Unexpended
balances
to lapse.

Construing.

State Highway purposes under R 8, herein shall not lapse by reason of the expiration of said period. The appropriations herein made, other than those for debt service, State aid to counties and municipalities under R 3, and for State Highway purposes under R 8, shall be available for expenditure during said fiscal year and for a period of two months thereafter to pay obligations incurred during said period only. At the expiration of said two months period all unexpended balances except in appropriations herein made for debt service, State aid to counties and municipalities under R 3 and for State Highway purposes under R 8 and in appropriations to the extent specifically held by contracts on file with the Commissioner of Taxation and Finance shall lapse into the State treasury or, in cases of appropriations from special funds, shall lapse to the credit of such special funds. Nothing in this section or in this act contained shall be construed to prohibit the payment due upon any contract made under any appropriation contained in any highway appropriation bill of the previous year or years.

A. EXECUTIVE AND ADMINISTRATIVE

A 1. DEPARTMENT OF LAW

Law
department.

Salaries:

Attorney-General	\$15,000 00	
Deputy Attorney-General	12,000 00	
Other officers and employees	218,780 00	
		\$245,780 00

Materials and Supplies:

Motor vehicular transportation supplies . .	\$1,050 00	
Stationery and office supplies	1,600 00	
Printing and binding	600 00	
Law books	1,000 00	
		4,250 00

Services Other Than Personal:

Traveling expenses ..	\$2,000 00	
Household expenses..	230 00	
Miscellaneous ex-		
penses	800 00	
Court costs	1,000 00	
Advertising	2,000 00	
Subscriptions	410 00	
Expenses of special		
investigations	10,000 00	
Witness fees, con-		
demnation commis-		
sioners and steno-		
graphic fees	5,000 00	
		21,440 00

Current Repairs and Maintenance:

Automotive equipment	\$812 00	
Office furniture, ma-		
chines and equip-		
ment	100 00	
		912 00
		<u>\$272,382 00</u>

A 2. DEPARTMENT OF TAXATION AND FINANCE

EXECUTIVE—ADMINISTRATIVE BUREAU

Salaries:

Commissioner	\$12,000 00	
Other officers and em-		
ployees	59,580 00	
		\$71,580 00

Taxation and
finance:

Materials and Supplies:

Motor vehicular trans-		
portation supplies..	\$100 00	
Stationery and office		
supplies	550 00	
Printing and binding.	900 00	
		1,550 00

Services Other Than Personal:

Traveling expenses ..	\$300 00	
Rent of office appliances	13,998 00	
Freight, express and cartage	70 00	
Subscriptions	91 00	
Miscellaneous expenses	80 00	
		14,539 00

Current Repairs and Maintenance:

Office furniture, fixtures and machines.	\$259 00	
Automotive equipment	100 00	
		359 00
		\$88,028 00

*Division of Budget and Accounting*Budget and
accounting;

Salaries:

Other officers and employees	\$241,160 00
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Materials and Supplies:

Motor vehicular transportation supplies..	\$350 00	
Stationery and office supplies	3,000 00	
Printing and binding.	4,750 00	
		8,100 00

Services Other Than Personal:

Traveling expenses ..	\$6,800 00	
Freight, express and cartage	75 00	
Household expenses..	125 00	
Subscriptions	148 50	
Miscellaneous expenses	200 00	
		7,348 50

Current Repairs and Maintenance:

Automotive equipment	\$150 00	
Office furniture, fixtures and machines.	1,875 92	
		2,025 92

Extraordinary Expenditures:

Share of cost of forms for centralized payroll	2,000 00	
		\$260,634 42

Unclaimed Wages:

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

Unclassified:

The balance in the refinishing project account, as of June 30, 1947, is hereby reappropriated.

Division of Taxation

Salaries:

Director	\$10,000 00	
Other officers and employees	1,281,870 00	
		\$1,291,870 00

Taxation;

Materials and Supplies:

Motor vehicular transportation supplies..	\$9,450 00	
Stationery and office supplies	15,625 00	
Photographing, blue-printing and drafting and engineering supplies	500 00	
Motor fuel and outdoor advertising license plates	800 00	
Briefs and law books.	1,500 00	
Printing and binding.	3,900 00	
		<u>31,775 00</u>

Services Other Than Personal:

Traveling expenses ..	\$20,000 00	
Freight, express and cartage	145 00	
Household expenses..	85 00	
Subscriptions	932 50	
Miscellaneous expenses	1,163 00	
Boat crew expenses ..	1,800 00	
Maintenance of patrol boat	2,200 00	
Garage rents	4,142 00	
Rent of equipment ...	3,852 00	
		<u>34,319 50</u>

Current Repairs and Maintenance:

Office furniture, machines and equipment	\$1,363 00	
Automotive equipment	5,530 00	
		<u>6,893 00</u>
		<u>\$1,364,857 50</u>

Refunds:**Corporation Taxes:**

Upon certification of the Director of the Taxation Division, the Commissioner of Taxation and Finance is hereby authorized and directed to allow and certify to the State Treasurer for payment any duplicate payment of tax, or any amount determined 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 Commissioner of Taxation and Finance.

Transfer Inheritance Taxes:

Upon certification of the Director of the Taxation Division, the Commissioner of Taxation and Finance is hereby authorized and it shall be his duty to withdraw from the State fund such amounts as shall be required to carry out the provisions of R.S. 54:33-10, payment of five per centum (5%) of tax collected to counties, and to refund and pay such claims as may be necessary and the State Treasurer shall pay same upon the warrants of said Commissioner of Taxation and Finance, and there is hereby appropriated the amount necessary therefor, approximating \$300,000 00

Railroad Tax:

The Commissioner of Taxation and Finance is hereby authorized and empowered to adjust and repay any overpayment of tax assessed and penalty thereon for any year, pursuant to section 14, chapter 208, laws of 1888, and the acts amendatory thereof and supplementary thereto, or R. S. 54:28-4, made by any railroad and/or canal company, and the State Treasurer is directed to pay warrants therefor issued by the Commissioner of Taxation and Finance, said payments shall be deducted from the amount originally paid into and remaining undistributed in the Treasury of the State, and the amount of money necessary for such purpose, as ascertained, is hereby appropriated.

Motor Fuel Taxes:

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

Outdoor Advertising Taxes Control Account:

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

overpayment of outdoor advertising taxes. The State Treasurer is hereby authorized and directed to pay warrants issued therefor by the Commissioner of Taxation and Finance and there is hereby appropriated the amount necessary therefor in the sum of, approximating

75 00

In addition thereto, the Commissioner of Taxation and Finance, upon certification of the Director of the Taxation Division, is hereby authorized and it shall be his duty to withdraw from the State fund such amounts as shall be required to carry out the provisions of R. S. 54:40-7, dividing proportionately among municipalities in which billboards are located excess outdoor advertising reve-

nues. The State Treasurer shall pay same upon warrants of the Commissioner of Taxation and Finance and there is hereby appropriated the amount necessary therefor, approximating 18,000 00

General Tax Refunds:

Upon certification of the Director of the Taxation Division, the Commissioner of Taxation and Finance is hereby authorized and it shall be his duty to withdraw from the State fund, moneys to refund and pay such claims for refund as may be necessary under the authorized provisions of Title 54 of the Revised Statutes and any statutes superseded thereby, and the State Treasurer shall pay same upon warrants of the said Commissioner of

Taxation and Finance.

\$318,075 00

Division of Local Government

Salaries:

Local
government;

Director	\$10,000 00	
Members of board (3)	12,000 00	
Other officers and employees	119,460 00	
		\$141,460 00

Materials and Supplies:

Motor vehicular transportation supplies..	\$1,600 00	
Stationery and office supplies	2,400 00	
Printing and binding.	5,000 00	
		9,000 00

Services Other Than Personal:

Traveling expenses ..	\$15,400 00	
Rent of garages	384 00	
Freight, express and cartage	170 00	
Subscriptions	400 00	
Miscellaneous expenses	125 00	
		16,479 00

Current Repairs and Maintenance:

Office furniture, fixtures and machines.	\$450 00	
Automotive equipment	400 00	
		850 00

\$167,789 00

Division of Tax Appeals

Tax appeals;	Salaries:		
	Members of board ...	\$48,000 00	
	President	9,000 00	
	Other officers and employees	46,440 00	
	Special stenographic services	8,000 00	
			\$111,440 00
	Materials and Supplies:		
	Motor vehicular transportation supplies..	\$125 00	
	Stationery and office supplies	2,500 00	
	Printing and binding.	450 00	
			3,075 00
	Services Other Than Personal:		
	Traveling expenses ..	\$1,700 00	
	Garage rents	84 00	
	Freight, express and cartage	40 00	
	Subscriptions	153 00	
	Miscellaneous expenses	125 00	
			2,102 00
	Current Repairs and Maintenance:		
	Office furniture, fixtures and machines.	\$75 00	
	Automotive equipment	200 00	
			275 00
			\$116,892 00

Division of Purchase and Property

Salaries:

Purchase and
property.

Director	\$10,000 00	
Other officers and employees	560,380 00	
		\$570,380 00

Materials and Supplies:

Heat, light, power, water, gas and electricity	\$65,000 00	
Motor vehicular transportation supplies..	1,500 00	
Household and organization supplies ...	100 00	
Stationery and office supplies	7,800 00	
Other materials and supplies (property bureau)	19,500 00	
Laboratory testing supplies	100 00	
		94,000 00

Services Other Than Personal:

Traveling expenses ..	\$800 00	
Freight, express and cartage	450 00	
Advertising	1,800 00	
Subscriptions	275 00	
Miscellaneous expenses	600 00	
Technical and laboratory testing service.	1,000 00	
Maintenance, Stacy Park and Capitol grounds	6,500 00	
Expenses in connection with confiscated property	250 00	
		11,675 00

Current Repairs and Maintenance:
 Buildings and grounds 31,610 00

Extraordinary Expenditures:

Reconditioning, repairing and painting interior of State House, Annex and Office Building	\$7,500 00	
Renew boiler room equipment	10,000 00	
Renew water lines, State House	5,000 00	
Repairing roof, State House	2,500 00	
Renew electric power lines, State House..	2,500 00	
Reconditioning roof, Annex	2,000 00	
Recondition legislative chambers	15,000 00	
Replace rough coat, exterior of State House	2,500 00	
		47,000 00

The unexpended balances of amounts appropriated for additions and improvements remaining in this account as of June 30, 1947, are reappropriated.

\$754,665 00

\$3,070,940 92

State Purchase Fund:State pur-
chase 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 \$350,000.00 will be established and maintained for the purpose of making payments for purchases pursuant to the purchase act (Chapter 25 of Title 52 of the R. S.), 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

New Jersey State Library

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, however,* that any sum or sums in excess of the amount hereby appropriated received by the Commissioner of Taxation and Finance from any source shall by him be paid to the State Treasurer and deposited in the general fund of the State; *provided, however,* that the Commissioner of Taxation and Finance, on application of the State Purchase Director, may transfer to the State purchase fund, from time to time, moneys appropriated to any spending agency, said moneys so transferred to be returned to the

Proviso.

Proviso.

funds from which
they were taken dur-
ing the fiscal year
for which said
appropriations were
made.

Special Accounts

Telephone and Telegraph:

Special
accounts.

Present departments
and agencies whose
telephone and tele-
graph charges are
paid by the Commis-
sioner of Taxation
and Finance

\$110,000 00

Rents:

Present departments
and agencies whose
rents are paid by
the Commissioner of
Taxation and Fi-
nance

\$565,944 07

Insurance:

For payment of in-
surance premiums
not otherwise pro-
vided for, maturing
during the current
fiscal year, includ-
ing purchase of
equipment required
to effect reductions
in fire rates

\$202,949 33

Postage:

Present departments and agencies whose postage is paid by the Commissioner of Taxation and Fi- nance	\$195,000 00
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A 3. CIVIL SERVICE COMMISSION

Civil Service
Commission.

Salaries:

President	\$10,000 00	
Commissioners (4) ..	20,000 00	
Chief examiner and secretary	10,000 00	
Other officers and em- ployees	312,880 00	
Monitors, special ex- aminers and other part-time employees	11,245 00	
		\$364,125 00

Materials and Supplies:

Stationery and office supplies	\$10,000 00	
Office equipment re- placement	3,000 00	
Printing	5,000 00	
Motor vehicular trans- portation supplies..	1,700 00	
		19,700 00

Services Other Than Personal:

Traveling expenses..	\$5,500 00
Advertising	3,000 00
Subscriptions	600 00
Freight, express and cartage	100 00

Household expenses..	50 00	
Garage rent	600 00	
Rent of equipment ...	12,368 00	
Rent of rooms for conducting examinations	2,500 00	
Miscellaneous expenses	50 00	
Contract I. B. M. services	800 00	
		25,568 00
Current Repairs and Maintenance:		
Automotive equipment	\$300 00	
Office furniture, machines and equipment	500 00	
		800 00
Extraordinary Expenses:		
Share of cost of forms for centralized payroll		2,000 00
		<u>\$412,193 00</u>

A 5. STATE AUDITOR'S DEPARTMENT

Salaries:		State Auditor's Department.
State Auditor	\$9,000 00	
Compensation for assistants	185,500 00	
		\$194,500 00
Materials and Supplies:		
Stationery and office supplies	\$600 00	
Printing and binding.	100 00	
		700 00

Services Other Than Personal:

Traveling expenses ..	\$15,000 00	
Household expenses ..	25 00	
Subscriptions	75 00	
Miscellaneous ex- penses	25 00	
		15,125 00

Current Repairs and Maintenance:

Office furniture, machines and equipment	200 00	
		\$210,525 00

A 6. EXECUTIVE DEPARTMENT

Executive
Department.

Salaries:

Governor	\$20,000 00	
Secretary to Governor	10,000 00	
Counsel and associate counsel	6,000 00	
Compensation for as- sistants	44,480 00	
		\$80,480 00

Materials and Supplies:

Stationery and office supplies	\$2,000 00	
Motor vehicular trans- portation supplies..	1,500 00	
		3,500 00

Services Other Than Personal:

Subscriptions	\$225 00	
Miscellaneous ex- penses	900 00	
		1,125 00

Current Repairs and Maintenance:

Office furniture, machines and equipment	100 00	
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Extraordinary Expenditures:

To enable the Governor to meet any emergency requiring the expenditure of money not otherwise appropriated, including entertainment on behalf of the State and to cover any incidental personal expenses or the expenses of commissioners appointed by him under statute, or in his discretion 10,000 00

The unexpended balance June 30, 1947, in the appropriation to enable the Governor to carry out the provisions of chapter 16, laws of 1941, is hereby reappropriated.

All balances remaining in this account as of June 30, 1947, are reappropriated for the fiscal year 1947-48.

\$95,205 00

A 8. SECRETARY OF STATE

Salaries:

Secretary	\$10,000 00	
Chief clerk	8,000 00	
Other employees	61,400 00	
		\$79,400 00

Secretary
of State.

Materials and Supplies:

Stationery and office supplies	\$9,000 00	
Motor vehicular transportation supplies..	400 00	
		9,400 00

Services Other Than Personal:

Traveling expenses ..	\$250 00
Election expenses (chapter 102, laws of 1940)	15,000 00

Photostating copies of certificates of incor- poration	5,000 00	
		20,250 00
		<u>\$109,050 00</u>

A 9. TREASURER'S DEPARTMENT

Treasurer's
Department.

Salaries:		
Treasurer	\$10,000 00	
Cashier and deputy treasurer	9,000 00	
Compensation for other assistants ...	77,851 00	
		\$96,851 00
Materials and Supplies:		
Stationery and office supplies	\$2,000 00	
Printing, binding, pho- tographing and blue- printing	100 00	
		2,100 00
Services Other Than Personal:		
Traveling expenses ..	\$1,000 00	
Rent of equipment ...	1,100 00	
Subscriptions	100 00	
Miscellaneous ex- penses	300 00	
		2,500 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		750 00
Extraordinary Expenditures:		
Share of cost of forms for centralized pay- roll	\$2,000 00	

Cost of microfilming old records	2,500 00	
		4,500 00
		\$106,701 00

*Teachers' Retirement Fund—Pension and Annuity
Fund*

For expenses incurred in connection with the fund, pursuant to ar- ticle 3, chapter 13 of Title 18 of the R. S.		
Salary of clerks	\$5,600 00	
Materials and supplies..	100 00	
Services other than per- sonal	50 00	
		5,750 00
		\$112,451 00

A 10. STATE ATHLETIC COMMISSIONER

Salaries:			State Athletic Commissioner.
Commissioner	\$5,200 00		
Compensation for other assistants	20,520 00		
Per diem inspectors and physicians	11,140 00		
Additional per diem inspectors and phy- sicians	1,360 00		
		\$38,220 00	
Materials and Supplies:			
Stationery and office supplies	\$450 00		
Printing	300 00		
		750 00	

CHAPTER 67, LAWS OF 1947

Services Other Than Personal:

Traveling expenses, includes telephone and miscellaneous expenses	\$2,500 00	
Subscriptions and membership fees ...	150 00	
		2,650 00

Current Repairs and Maintenance:

Office furniture, machines and equipment	50 00	
		\$41,670 00

B. LEGISLATIVE

B 1. LEGISLATURE

Legislature.

Salaries:

Senators and members of General Assembly	\$40,833 32	
Compensation for officers and em- ployees	47,150 00	
		\$87,983 32

Materials and Supplies:

Manuals of the Legislature	4,000 00	
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Services Other Than Personal:

Indexing Journal and Minutes and other incidental and contingent expenses	98,000 00	
		\$189,983 32

B 2. COMMISSION ON POST-WAR ECONOMIC WELFARE

Salary	\$3,000 00	Post-War Economic Welfare Commission.
Expenses in connection with surveys	5,000 00	
Materials and supplies	2,500 00	
	\$10,500 00	

B 3. LAW REVISION AND BILL DRAFTING
COMMISSION

Salaries:		Law Revision and Bill Drafting Commission.
Counsel (2)	\$16,500 00	
Other officers and employees	22,480 00	
Special per diem services	1,760 00	
	\$40,740 00	
Materials and Supplies:		
Stationery and office supplies	\$400 00	
Library supplies	600 00	
Printing, binding, photostating and blue-printing	1,000 00	
	2,000 00	
Services Other Than Personal:		
Traveling expenses ..	\$750 00	
Household expenses ..	30 00	
	780 00	
Current Repairs and Maintenance:		
Office furniture, machines and equipment	45 00	
The unexpended balances remaining in this account as of June 30, 1947, are hereby reappropriated.		
	\$43,565 00	

B 4. LEGISLATIVE VETERANS COMMISSION

Legislative
Veterans
Commission.

Salaries:

Other officers and employees \$5,560 00

Materials and Supplies:

Stationery and office

supplies \$500 00

Printing and binding 500 00

1,000 00

Services Other Than Personal:

Traveling expenses 500 00

\$7,060 00

B 5. LEGISLATIVE PRINTING

Legislative
printing.

Materials and Supplies:

Legislative printing .. \$70,000 00

Printing and binding

public documents .. 9,000 00

\$79,000 00

C. JUDICIAL

C 1. CLERK IN CHANCERY

Clerk in
Chancery.

Salaries:

Clerk in Chancery ... \$8,500 00

Chief clerk 6,500 00

Other employees 147,500 00

\$162,500 00

Materials and Supplies:

Stationery and office supplies 7,000 00

Services Other Than Personal:

Traveling expenses ..	\$250 00	
Freight, express and cartage	650 00	
		<u>900 00</u>

Current Repairs and Maintenance:

Office furniture, machines and equipment	350 00	
		<u>\$170,750 00</u>

C 2. CLERK OF THE SUPREME COURT

Salaries:

Clerk of the
Supreme Court.

Clerk of the Supreme Court	\$6,000 00	
Chief clerk	7,000 00	
Compensation for as- sistants	55,680 00	
		<u>\$68,680 00</u>

Materials and Supplies:

Stationery and office supplies	\$2,000 00	
Office equipment re- placement	500 00	
Printing, binding, photographing, en- grossing and blue- printing	150 00	
Printing rules of Su- preme Court	1,500 00	
		<u>4,150 00</u>

Services Other Than Personal:

Miscellaneous expenses	21 00
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CHAPTER 67, LAWS OF 1947

Current Repairs and Maintenance:

Office furniture, machines, dockets and equipment	590 00
	\$73,441 00

C 3. COURT OF CHANCERY

Court of
Chancery.

Salaries:

Chancellor	\$19,000 00	
Vice-Chancellors (10 at \$18,000.00)	180,000 00	
Other assistants and employees	197,070 00	
		\$396,070 00

Materials and Supplies:

Stationery and office supplies	\$3,000 00	
Library supplies	2,000 00	
Motor vehicular trans- portation supplies..	400 00	
		5,400 00

Services Other Than Personal:

Traveling expenses for court attendants ...	\$250 00	
Miscellaneous ex- penses	150 00	
		400 00

Current Repairs and Maintenance:

Automotive equipment	\$125 00	
Office furniture, ma- chines and equip- ment	100 00	
		225 00

Additions and Improvements:

Office equipment (Air Conditioner)	\$500 00	
New equipment	2,000 00	
		2,500 00
		\$404,595 00

C 4. COURT OF ERRORS AND APPEALS

Salaries:

Court of
Errors and
Appeals.

Compensation of judges of the Court of Errors and Ap- peals, at \$40.00 per diem	\$60,000 00	
Compensation of of- ficers	4,860 00	
		\$64,860 00

Materials and Supplies:

Stationery and office supplies	\$635 00	
Printed or typewritten copies of draft of opinions of the Lay Judges	2,000 00	
Binding state of cases, briefs, and printing list of causes	365 00	
		3,000 00
		\$67,860 00

C 5. COURT OF PARDONS

Court of
Pardons.

Salaries:

Compensation of judges of the Court of Pardons, at \$40.00 per diem	\$10,000 00	
Compensation of clerk and stenographer ..	3,960 00	
		\$13,960 00

Materials and Supplies:

Stationery and office supplies	300 00
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Services Other Than Personal:

Miscellaneous expenses	100 00
	<u>\$14,360 00</u>

C 6. JUDICIAL COUNCIL

Judicial
council.

Salaries:

Secretary	\$1,500 00
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Materials and Supplies:

Stationery and office supplies	\$50 00	
Printing	200 00	
		250 00
		<u>\$1,750 00</u>

C 7. LAW AND EQUITY REPORTS

Salaries:			Law and equity reports.
Chancery reporter ...	\$500 00		
Supreme Court re- porter	500 00		
		\$1,000 00	
Services Other Than Personal:			
Publication of Chan- cery reports	\$9,000 00		
Publication of law re- ports	9,000 00		
Binding Chancery and law reports	3,630 00		
		21,630 00	
		\$22,630 00	

C 8. STENOGRAPHIC REPORTERS

For amount to be refunded to various counties in this State for salaries of stenographic reporters appointed by the justices of the Supreme Court, pursuant to R. S. 2:16-21 ...	\$64,099 94	Stenographic reporters.
For the amount to be refunded to Hudson county for pension granted to Neale Ransome, court stenog- rapher, pursuant to R. S. 43:6-13.1	1,000 00	
	\$65,099 94	

C 9. SUPREME COURT

Supreme
Court.

Salaries:

Chief Justice	\$19,000 00	
Associate justices (8 at \$18,000.00)	144,000 00	
Circuit Court judges (14 at \$16,000.00) ..	224,000 00	
Salaries of secretaries to justices of the Su- preme Court, pur- suant to R. S. 2:4-13	25,520 00	
Compensation of other assistants	13,100 00	
Board of Bar Exam- iners, salary of three members, secretary, assistant secretary and messenger	17,150 00	
		\$442,770 00

Materials and Supplies:

Stationery and office supplies	350 00
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Services Other Than Personal:

Expenses of Board of Bar Examiners in- curred by court order, including dis- barment proceedings	\$2,000 00	
Library and office ex- penses	10,000 00	
		12,000 00
		\$455,120 00

D 1. DEPARTMENT OF CONSERVATION

Department of
Conservation.To carry out the provisions of chapter 22,
P. L. 1945.*Commissioner's Office*

Commissioner;

Salaries:

Commissioner	\$12,000 00
Deputy commissioner.	7,500 00
Administrative as-	
sistant	2,460 00
	\$21,960 00

Materials and Supplies:

Vehicular transporta-	
tion supplies	\$850 00
Stationery and office	
supplies	250 00
	\$1,100 00

Services Other Than Personal:

Traveling expenses ..	\$1,000 00	
Subscriptions	125 00	
	\$1,125 00	
		\$24,185 00

Division of Water Policy and Supply

Salaries:

Water policy
and supply;

Engineer-in-charge ..	\$7,250 00
Other officers and em-	
ployees	92,708 20
Hourly laborers and	
monthly gage	
observers	16,767 00
	\$116,725 20

Materials and Supplies:

Heat, light, power, water, gas and elec- tricity	\$300 00
Household supplies ..	30 00
Motor vehicular trans- portation supplies..	1,500 00
Stationery and office supplies	450 00
Engineering supplies.	600 00
Printing and binding.	400 00
Other materials and supplies	25 00
	\$3,305 00

Services Other Than Personal:

Traveling expenses ..	\$3,500 00
Telephone and tele- graph	800 00
Rents	5,705 00
Insurance (other than fire)	167 18
Postage	400 00
Miscellaneous ex- penses	50 00
Advertising (legal) ..	50 00
Subscriptions and memberships	85 00
	\$10,757 18

Current Repairs and Maintenance:

Automotive equipment	\$500 00
Buildings and grounds	4,400 00
Office furniture, ma- chines and equip- ment	100 00
Scientific and labora- tory equipment	300 00
Other repairs	200 00
	\$5,500 00

All unexpended balances remaining in the appropriations for the repairs, rehabilitation and improvement of the Delaware and Raritan canal and the Great Notch Pumping Station, as of June 30, 1947, are hereby appropriated.

The unexpended balance in the Interconnection Revolving Fund as of June 30, 1947, is hereby reappropriated.

_____ \$136,287 38

Division of Fish and Game

Salaries:

Other officers and employees \$286,412 00

Fish and
game;

Materials and Supplies:

Food for fish and game	\$142,000 00
Clothing (uniforms) ..	2,500 00
Heat, light, power, water, gas and electricity	8,140 00
Motor vehicular transportation supplies ..	15,000 00
Replacements of motor vehicles	20,000 00
Stationery and office supplies	1,250 00
Farm, stable and ground supplies ...	10,600 00
Household supplies ..	385 00

Educational, recreational and library supplies	1,000 00
Other materials and supplies	525 00
Printing, binding, blue-printing and photographic supplies ...	6,500 00
Purchase of live fish and game	30,500 00
Boat transportation supplies	2,500 00
Replacement boats and motors	1,650 00
Replacement of plant equipment	1,900 00
	\$244,450 00

Services Other Than Personal:

Traveling expenses ..	\$6,500 00
Telephone and telegraph	3,025 00
Rents	5,000 00
Insurance	4,573 28
Freight, express and cartage	500 00
Fair exhibits	600 00
Medical expenses	600 00
Postage	2,000 00
Miscellaneous expenses	925 00
Garage rents	1,800 00
Dock and other rents.	920 00
Court costs	300 00
	\$26,743 28

Current Repairs and Maintenance:

Automotive equipment	\$10,400 00
Buildings and grounds	9,200 00
Repairs to boat equipment	2,500 00
Repairs to plant equipment	3,200 00
	\$25,300 00

Additions and Improvements:

New office equipment..	\$1,000 00
Holding pens at game farms	8,500 00
Other equipment	2,000 00
	\$11,500 00

Unclassified Expenditures:

Compensation Award	
—Josephine Perkins	
(Widow of Warden	
Alfred Perkins) ...	1,187 68
	\$595,592 96

*Division of Fish and Game**Public Shooting and Fishing Grounds Fund*

Salaries:

Other officers and employees	\$52,548 00
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Public shooting
and fishing
grounds;

Materials and Supplies:

Heat, light, power, water, gas and electricity	\$400 00
Motor vehicular transportation supplies..	2,400 00

Replacements of motor vehicles	5,000 00
Stationery and office supplies	100 00
Purchase of live fish and game	10,000 00
Operating materials and supplies	5,000 00
Printing and binding ..	350 00
Other materials and supplies	350 00
	\$23,600 00

Services Other Than Personal:

Traveling expenses ..	\$800 00
Telephone and telegraph	500 00
Rents (garage)	60 00
Insurance (other than fire)	228 71
Freight, express and cartage	100 00
Miscellaneous expenses	100 00
	\$1,788 71

Current Repairs and Maintenance:

Buildings and grounds	\$5,000 00
Repairs to auto equipment	1,800 00
Office furniture, machines and equipment, farm machinery	600 00
	\$7,400 00

Additions and Improvements:

New equipment	\$2,000 00
New motor vehicles...	2,000 00
	\$4,000 00

New Buildings and Land:

Purchase of land for public hunting	\$50,000 00
	\$139,336 71

*Division of Fish and Game*Public Shooting and Fishing Grounds Fund
Reimbursable by Federal Aid

Salaries:

Employees	\$22,080 00
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Public shooting
and fishing
grounds;

Materials and Supplies:

Heat, light and power	\$125 00
Motor vehicular trans- portation supplies..	1,500 00
Stationery and office supplies	100 00
Printing	1,000 00
Operating materials and supplies	5,000 00
	\$7,725 00

Services Other Than Personal:

Traveling expenses ..	\$1,500 00
Telephone and tele- graph	150 00
Miscellaneous ex- penses	150 00
	\$1,800 00

Current Repairs and Maintenance:

Repairs to motor vehicles	\$2,000 00
Repairs to other equipment	250 00
	\$2,250 00

Additions and Improvements:

New motor vehicles ..	\$1,000 00	
		\$34,855 00

Appropriations made to the Division of Fish and Game shall be chargeable to receipts from hunters' and anglers' licenses and all excess receipts from hunters' and anglers' licenses pursuant to the provisions of article 1, chapter 3 of Title 23; R. S. 23:3-3, R. S. 23:3-23 to 27; all receipts, licenses and sales pursuant to the provisions of R. S. 52:18-31; all fines pursuant to the provisions of R. S. 23:10-19, together with balances of appropriations that may not have been disbursed during the fiscal year ending June thirtieth, one thousand nine hundred and forty-seven, are hereby appropriated to the Division of Fish and Game but there may

only be expended of said receipts and balances the amounts as itemized above and no portion of any receipts shall lapse into the general funds of the State; *provided, however*, that an excess may be expended and is hereby appropriated above the amounts herein above indicated when expressly approved by the Commissioner of Taxation and Finance, but limited to the amount of the receipts of the division for the fiscal year.

Proviso;

Division of Shell Fisheries

Salaries:

Shell fisheries;

Director	\$5,100 00
Other officers and employees	82,500 00
Pension—Mrs. Myron Jones (Chapter 86, P. L. 1923)	1,200 00
	\$88,800 00

Materials and Supplies:

Heat, light, power, water, gas and electricity	\$700 00
Stationery and office supplies	200 00
Motor boat transportation supplies..	3,370 00

Printing of shellfish laws and resolutions of council	150 00	
License plates	200 00	
	\$4,620 00	
Services Other Than Personal:		
Traveling expenses ..	\$2,500 00	
Miscellaneous ex- penses	200 00	
Surveying and map- ping	1,500 00	
	\$4,200 00	
Current Repairs and Maintenance:		
Boats and equipment.	\$7,000 00	
Additions and Improvements:		
Shelling beds, dyna- miting and netting drumfish, depart- ment of Maurice river cove and At- lantic coast, and con- trol of oyster drill in Cumberland and Cape May counties.	\$20,000 00	
Staking State's nat- ural spawning oys- ter beds	500 00	
New guard boat for Monmouth county..	3,000 00	
	\$23,500 00	
		\$128,120 00

*Division of Forestry, Geology, Parks and
Historic Sites*

Salaries:

State Forester and director	\$6,500 00
Other officers and employees	526,676 00
	\$533,176 00

Forestry,
geology, parks
and historic
sites;

Materials and Supplies:

Heat, light, power, water, gas and electricity	\$13,750 00
Household and organization supplies	2,000 00
Drugs, medical and chemical supplies ..	430 00
Motor vehicular transportation supplies..	6,580 00
Stationery and office supplies	2,500 00
Engineering supplies.	435 00
Farm, stable and ground supplies ...	2,500 00
Educational, recreational and library supplies	110 00
Exhibit materials	100 00
Photographing, printing, binding, blue-printing and supplies	6,000 00
Supplies for Zoo	100 00
	\$34,505 00

Services Other Than Personal:

Traveling expenses ..	\$14,050 00
Telephone and telegraph	423 00
Miscellaneous rents ..	123 00
Freight, express and cartage	250 00
Identification of fossils	65 00
Garage rents	1,260 00
Household expenses..	1,060 00
Advertising	100 00
Subscriptions	217 40
Skidding logs and cord wood from woods ..	50 00
	\$17,598 40

Current Repairs and Maintenance:

Automotive equipment	\$4,000 00
Buildings and grounds	28,866 00
Machinery and plant equipment	2,500 00
Office furniture, machines and equipment	450 00
Scientific equipment..	260 00
Recreational equipment	1,000 00
Other repairs	1,300 00
	\$38,376 00

Additions and Improvements:

Signs for historic sites	\$500 00
Deep well Lebanon State Forest	300 00
Automatic fire extinguisher units....	1,700 00
Pick-up truck, Stokes State Forest	1,200 00
	\$3,700 00

Extraordinary Expenditures:

Tax lieu	\$6,572 52
Fire fighting costs ...	25,000 00
Expenses in connection with Carranza Memorial	250 00
Replacement and repair of heating system and plumbing, Washington Headquarters, Rocky Hill	1,200 00
Maintenance contract, elevator service, Trenton Battle Monument	360 00
	\$33,382 52

Unclassified Expenditures:

Compensation awards	\$2,109 55
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New Buildings and Land:

Acquisition of Fort Mott	\$17,000 00
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All unexpended balances of amounts appropriated for development of Princeton battlefield as of June 30, 1947, are hereby reappropriated.

All unexpended balances as of June 30, 1947, remaining from revenues received from all State parks under the jurisdiction of the Department of Conservation; and also the revenues received from the same parks are hereby appropriated

for the use of the Department of Conservation for the operation, maintenance and development of said parks.

————— \$679,847 47
—————

Morris Canal Fund

Morris canal
fund;

Salaries:

Officers and employees	\$14,540 00
Materials and supplies...	750 00
Services other than personal	500 00
Current repairs	500 00
Additions and improvements	3,100 00
Pensions (Chapter 205, Laws of 1946)	2,280 00

There shall be refunded to the State fund such amounts as have heretofore been advanced from said fund to the Morris Canal fund whenever and to the extent that the canal funds exceed the liabilities of said fund for the balance of the fiscal year ending June 30, 1948.

————— \$21,670 00
—————

State Forest Fund

Salaries:

State forest

Labor—for silvicultural improve- ments of the State forests	\$18,000 00
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Division of Navigation

Salaries:

Navigation;

Director	\$9,000 00
Other officers and em- ployees	179,520 00
	\$188,520 00

Materials and Supplies:

Food	\$3,800 00
Clothing	440 00
Heat, light, power, water, gas and elec- tricity	3,300 00
Household supplies (house boats)	660 00
Drugs, medical and chemical supplies ..	200 00
Motor vehicular trans- portation supplies..	2,750 00
Stationery and office supplies	2,000 00
Photographing, blue- printing and draft- ing supplies	2,000 00
Engineering supplies.	1,300 00
Motor boat transporta- tion supplies	7,500 00
	\$23,950 00

Services Other Than Personal:

Traveling expenses ..	\$4,000 00
Rent of equipment ...	1,200 00
Miscellaneous ex-	
penses	750 00
Garage rent	1,170 00
Household expenses ..	250 00
Advertising for bids	
and legal notices ...	500 00
Subscriptions and	
membership fees ...	235 00
	\$8,105 00

Current Repairs and Maintenance:

Automotive equipment	\$3,000 00
Buildings and grounds	10,000 00
Motor boats	4,200 00
Office machines and	
equipment	300 00
	\$17,500 00

Additions and Improvements—

Expenditures for Waterways:	
Lights and buoys	\$2,950 00
Maintenance naviga-	
tion lights, Cape	
May - Manasquan	
river	2,950 00
Maintenance Newark	
bay lights and re-	
placements	350 00
Maintenance Barnegat	
light	3,000 00
Bulkheading Manas-	
quan canal and or	
dredging Deal lake.	50,000 00
Construction, recon-	
struction and main-	
tenance and im-	
provement inland	
waterways	46,200 00

Dredging inland water- ways	75,000 00
	\$180,450 00

Extraordinary Expenditures:

Enforcement of collec- tions of licenses and provisions for fees.	\$2,000 00
State boundaries — chapter 52:29-1 R. S.	1,800 00
To comply with power vessel bill, chapter 306, laws of 1938 ...	350 00
For beach protection along the Atlantic coast, for the construc- tion of beach protec- tion measures, includ- ing bulkheads, backfill, groins and jetties, ad- vertising and inspec- tion costs, in accord- ance with the compre- hensive plan hereto- fore adopted and ap- proved by the Gover- nor, provided 50% of the cost of such project shall be borne by each municipality partici- pating in the project; <i>provided, however, the</i> Division of Navigation may use out of this appropriation a sum not to exceed \$160,- 000.00 for beach pro- tection measures, in the construction of the Shark river jetties, on	

Proviso.

wholly owned State property, without any further appropriation thereto by any municipality. All projects are to be constructed under contract and supervision of the Division of Navigation.. 350,000 00

Construction and maintenance of beach protection projects already constructed along Atlantic coast towards which the municipality has contributed in the past two years their allotted share as provided for in the appropriated items for beach erosion without any further appropriation by municipality, including a survey to be undertaken in conjunction with the Federal Government, the cost of which survey is not to exceed \$50,000.00 of this appropriation ... 250,000 00

Dredging projects 100,000 00

Of the above sum, \$30,000.00 shall be available for dredging of Shark river inlet and the balance for such dredging projects allotted by the Division

of Navigation subject
to the approval of the
Governor.

\$704,150 00

\$1,122,675 00

All unexpended balances
in the accounts of this
division as of June 30,
1947, are hereby reap-
propriated. No alloca-
tion of money shall be
made to any municipi-
pality by the Division
of Navigation except
on written approval of
the Governor.

\$2,900,569 52

D 2. NEW JERSEY COMMISSION ON INTERSTATE
CO-OPERATION

Salaries:

Secretary \$1,200 00

Part time and per diem
employees 530 00

\$1,730 00

Interstate
co-operation
commission.

Materials and Supplies:

Stationery and office
supplies \$40 00

Printing and binding. 200 00

240 00

Services Other Than Personal:

Traveling expenses .. \$500 00

Telephone and tele-
graph 175 00

Postage 75 00

Expenses of confer-
ences 150 00

900 00

Commitments to Out-of-State Agencies:

Unclassified:

Interstate Commission on the Delaware River Basin	\$8,750 00	
The Council of State Governments	8,500 00	
The Governor's Con- ference	100 00	
Atlantic States Marine Fisheries Commis- sion	1,400 00	
National Conference Commissioners on Uniform State Laws	150 00	
Federation of Tax Ad- ministrators	750 00	
		19,650 00
		\$22,520 00

D 3. BOARD OF PUBLIC UTILITY COMMISSIONERS

Public utility
commissioners.

Salaries:

Members of the board	\$36,000 00	
Secretary	8,500 00	
Other employees	260,220 00	
For reporting hearings	7,000 00	
		\$311,720 00

Materials and Supplies:

Motor vehicular trans- portation supplies..	\$1,750 00	
Printing	3,700 00	
Stationery and office supplies	3,500 00	
		8,950 00

Services Other Than Personal:

Traveling expenses ..	\$8,000 00	
Freight, express and cartage	25 00	
Subscriptions	900 00	
Household expenses..	300 00	
		9,225 00

Current Repairs and Maintenance:

Office furniture, machines and equip- ment	450 00	
		\$330,345 00

D 4. HEALTH OFFICERS, PORT OF PERTH AMBOY

Salaries:

Health officer	\$1,120 00	
Deputy health officer	370 00	
		\$1,490 00

D 5. COUNTY BOARDS OF TAXATION

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

D 6. DEPARTMENT OF BANKING AND INSURANCE

Salaries:

Commissioner	\$12,000 00	Banking and insurance department.
Other employees	748,214 00	
		\$760,214 00

Materials and Supplies:

Motor vehicular transportation supplies..	\$125 00	
Printing	11,000 00	
Stationery and office supplies	4,300 00	
Compiling and printing valuations	450 00	
		15,875 00

Services Other Than Personal:

Traveling expenses ..	\$45,000 00	
Household expenses..	65 00	
Subscriptions and membership fee National Association State Banks	785 00	
Rent of office appliances and deposit box	7,792 00	
Miscellaneous expenses	50 00	
Garage rent	72 00	
Freight, express and cartage	350 00	
		54,114 00

Current Repairs and Maintenance:

Automotive equipment	\$150 00	
Office furniture, machines and equipment	998 85	
		1,148 85
		\$831,351 85

D 7. INTERSTATE SANITATION COMMISSION

Expenses incurred by the commission
appointed pursuant to chapter 321,
laws of 1935.

Salaries:

Employees	\$13,864 50	Interstate Sanitation Commission.
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Materials and Supplies:

Heat, light, power, water, gas and elec- tricity	\$135 00	
Drugs, medical, surgi- cal and chemical supplies	112 50	
Stationery and office supplies	178 00	
Printing, binding, photographing and blueprinting	88 00	
		513 50

Services Other Than Personal:

Traveling expenses ..	\$320 00	
Telephone and tele- graph	180 00	
Rents	1,966 00	
Miscellaneous ex- penses	26 50	
Postage	112 50	
Insurance	87 89	
		2,692 89
		\$17,070 89

D 8. DEPARTMENT OF HEALTH

Department
of Health:

Salaries:

Director	\$7,760 00	
Director, Federal		{
Supervision	1,240 00	
Other employees	406,798 00	
		\$415,798 00

Materials and Supplies:

Stationery and office supplies	\$3,000 00	
Educational, recreational and library supplies	200 00	
Engineering supplies.	750 00	
Motor vehicular transportation supplies..	1,900 00	
Laboratory supplies..	20,000 00	
Inspector's supplies..	100 00	
Dental health education materials	1,000 00	
Printing	10,000 00	
		36,950 00

Services Other Than Personal:

Traveling expenses ...	\$22,000 00
Miscellaneous expenses	270 00
Rental of tabulation machines	1,296 00
Binding current volumes of birth, marriage and death certificates	750 00
Garage rents	960 00
Subscriptions	325 00
Maintenance of dental trailer	1,000 00
Freight, express and cartage	980 00

Bleeding of sheep	600 00	
Maintenance of boats and plants	2,800 00	
Household expenses..	390 00	
		31,371 00
Current Repairs and Maintenance:		
Automotive equipment	\$1,200 00	
Office furniture, equip- ment and machines	500 00	
		1,700 00
Extraordinary Expenditures:		
Biologicals and antioitics		19,400 00
		\$505,219 00

Bureau of Venereal Disease Control

Salaries:			Venereal disease control;
Chief	\$6,000 00		
Other employees	18,960 00		
		\$24,960 00	
Materials and Supplies:			
Drugs and clinic sup- plies	\$5,000 00		
Printing	1,050 00		
Stationery and office supplies	300 00		
		6,350 00	
Services Other Than Personal:			
Traveling expenses ..	\$1,050 00		
Freight, express and cartage	5 00		
Subscriptions	80 00		
		1,135 00	

Current Repairs and Maintenance:

Office furniture, fixtures and machines	\$200 00	
Scientific and laboratory equipment	70 00	
		<u>270 00</u>
		<u>\$32,715 00</u>

Maternal and Child Health Bureau

Salaries:

Maternal and child health;	Consultant	\$7,000 00	
	Other employees	85,727 17	
			<u>\$92,727 17</u>

Materials and Supplies:

Stationery and office supplies	\$1,220 00	
Baby welfare station supplies	675 00	
Printing	500 00	
		<u>2,395 00</u>

Services Other Than Personal:

Traveling expenses . .	\$12,000 00	
Freight, express and cartage	15 00	
Subscriptions	27 00	
Miscellaneous expenses	85 00	
		<u>12,127 00</u>

Current Repairs and Maintenance:

Office furniture, fixtures and machines	150 00	
		<u>\$107,399 17</u>

Bureau of Industrial Health

Salaries:

Physicians, nurses, clerks, et cetera	\$42,300 00	Industrial health;
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Materials and Supplies:

Drugs, medical, surgical and chemical supplies	\$450 00	
Stationery and office supplies	300 00	
Educational, recreational and library supplies	100 00	
Printing, binding, photographing, et cetera	1,350 00	
		2,200 00

Services Other Than Personal:

Traveling expenses ..	\$4,000 00	
Freight, express and cartage	10 00	
Subscriptions	108 00	
Miscellaneous expenses	62 00	
		4,180 00

Current Repairs and Maintenance:

Office furniture, machines and equipment	20 00	
		\$48,700 00

Rabies Control

Rabies control. Salaries:

Veterinarian in charge and other employees	\$23,000 00
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Materials and Supplies:

Motor vehicular transportation supplies..	\$200 00	
Stationery and office supplies	200 00	
Printing	700 00	
		1,100 00

Services Other Than Personal:

Traveling expenses ..	\$2,600 00	
Telephone and telegraph	300 00	
Rents (office)	915 00	
Rents (garage)	84 00	
Insurance	10 00	
Postage	500 00	
Subscriptions	30 00	
Court expenses	100 00	
Freight, express and cartage	20 00	
Miscellaneous expenses	200 00	
		4,759 00

Current repairs and maintenance ...	155 00
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Extraordinary Expenditures:

Antirabies serum ...	\$5,000 00	
Specific rabies prevention	5,000 00	
		10,000 00

\$39,014 00

\$50,000.00 of the unexpended balances as of June 30, 1947, are hereby reappropriated

to carry out the Dentistry Program on an hourly basis.

\$733,047 17

D 9. DEPARTMENT OF LABOR

Salaries:

Department
of Labor:

Commissioner of Labor	\$12,000 00	
Deputy Commissioners Workmen's Compensation, including director ..	90,750 00	
Deputy Commissioners of Labor and chiefs of bureaus ..	39,200 00	
Examiners, inspectors, clerks and other employees	627,680 00	
	<u> </u>	\$769,630 00

Materials and Supplies:

Light, power and water service	\$1,400 00	
Household and organization supplies	400 00	
Stationery and office supplies	11,400 00	
Drugs, medical, surgical and chemical supplies	500 00	
Printing	8,000 00	
Coal, Jersey City, Trenton and Paterson	1,500 00	
Motor vehicular transportation supplies	500 00	
	<u> </u>	23,700 00

Services Other Than Personal:

Traveling expenses ..	\$25,000 00	
Household expenses ..	1,150 00	
Subscriptions	675 50	
Garage rents	240 00	
Rent of office appliances	3,288 00	
Miscellaneous expenses	750 00	
Expenses for Industrial Safety Campaign (printing) ..	1,000 00	
		32,103 50

Current Repairs and Maintenance:

Automotive equipment	\$300 00	
Scientific and laboratory equipment	400 00	
Office furniture, machines and equipment	500 00	
		1,200 00

Unclassified Expenditures:

Compensation award—May K. Ireland	1,045 70	
		\$827,679 20

State Board of Mediation

State mediation board;

Salaries:

Board members	\$14,600 00	
Other employees	39,160 00	
Per diem arbitrators.	1,000 00	
		\$54,760 00

Materials and Supplies:

Stationery and office supplies	\$1,140 00	
Educational, recreational and library supplies	100 00	
Printing and binding	460 00	
		1,700 00

Services Other Than Personal:

Traveling expenses ..	\$2,000 00	
Subscriptions	898 78	
Miscellaneous expenses	270 00	
		3,168 78

Current Repairs and Maintenance:

Office furniture, machines and equipment	47 00	
		\$59,675 78

Migrant Labor Division

Salaries:

Officers and employees	\$58,472 00	Migrant labor;
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Materials and Supplies:

Motor vehicular transportation supplies	\$200 00	
Stationery and office supplies	500 00	
Lighting	200 00	
Printing	2,000 00	
		2,900 00

Services Other Than Personal:

Traveling expenses ..	\$3,000 00	
Garage rent	120 00	
Miscellaneous ex-		
penses	1,000 00	
Medical clinics for		
migrant labor work-		
ers	3,000 00	
For Atlantic seaboard	9,000 00	
		16,120 00

Current Repairs and Maintenance:

Automotive equipment	200 00	
		\$77,692 00

The unexpended balances remaining in the Migrant Labor Division on June 30, 1947, are hereby reappropriated for fiscal year 1947-48.

Bureau of Explosives

Explosives;	Salaries	\$8,400 00	
	Materials and Supplies:		
	Laboratory equip-		
	ment	\$1,000 00	
	Laboratory supplies .	500 00	
			1,500 00
	Services Other Than Personal:		
	Rent	1,800 00	
			\$11,700 00

Industrial Homework Division

Salaries	\$9,780 00	Industrial homework;
Materials and Supplies:		
Stationery and office supplies	\$100 00	
Printing	250 00	
		350 00
Services Other Than Personal:		
Rent	660 00	
		\$10,790 00

Bureau of Structural Inspection

Salaries	\$48,960 00	Structural inspection.
Materials and Supplies:		
Engineering supplies .	\$400 00	
Laboratory equipment	3,100 00	
Office equipment replacement	1,000 00	
Automobile	2,000 00	
		6,500 00
Services Other Than Personal:		
Rent	\$780 00	
Miscellaneous expenses	500 00	
		1,280 00
		\$56,740 00
		\$1,044,276 98

D 10. DEPARTMENT OF WEIGHTS AND MEASURES

Department of Weights and Measures.	Salaries:		
	Superintendent	\$5,200 00	
	Other employees	54,240 00	
			\$59,440 00
	Materials and Supplies:		
	Motor vehicular transportation sup- plies	\$1,450 00	
	Seals and license plates	2,000 00	
	Printing and binding	1,950 00	
	Stationery and office supplies	700 00	
	Other materials and supplies	75 00	
			6,175 00
	Services Other Than Personal:		
	Traveling expenses ..	\$8,500 00	
	Rent of garages	312 00	
	Subscriptions	50 00	
	Miscellaneous ex- penses	150 00	
	Freight, express and cartage	15 00	
			9,027 00
	Current Repairs and Maintenance:		
	Automotive equip- ment	\$1,000 00	
	Scientific and labora- tory equipment	50 00	
	Office machines and equipment	50 00	
			1,100 00
			\$75,742 00

D 11. STATE BOARD OF BEAUTY CULTURE CONTROL

Salaries:

Beauty culture
control board.

Commissioner—Chairman of Board	\$3,200 00	
Commissioners ((5) @ \$2,200.00)	11,000 00	
Secretary	3,600 00	
Inspectors, stenographers and other employees	22,440 00	
		\$40,240 00

Materials and Supplies:

Motor vehicular transportation supplies	\$700 00	
Stationery and office supplies	250 00	
Printing	600 00	
		1,550 00

Services Other Than Personal:

Traveling expenses ..	\$1,400 00	
Garage rents	564 00	
Subscriptions	75 00	
Miscellaneous expenses	25 00	
		2,064 00

Current Repairs and Maintenance:

Automotive equipment	\$500 00	
Office furniture and equipment	65 00	
		565 00

Additions and Improvements:

New automobiles	\$1,000 00	
New office equipment.	1,800 00	
		2,800 00

\$47,219 00

D 12. BOARD OF BARBER EXAMINERS

Barber
examiners
board.

Salaries:

Members of board, including secretary- treasurer	\$11,779 76	
Officers and employees	11,280 00	
		\$23,059 76

Materials and Supplies:

Stationery and office supplies	\$375 00	
Printing	300 00	
		675 00

Services Other Than Personal:

Traveling expenses ..	\$4,500 00	
Rents of examination rooms	40 00	
Household expenses..	10 00	
Subscriptions	25 00	
		4,575 00

Current Repairs and Maintenance:

Office furniture, machines and equip- ment		40 00
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Additions and Improvements:

New office equipment	500 00	
		\$28,849 76

D 13. STATE BOARD OF TENEMENT HOUSE
SUPERVISION

Salaries:

Tenement
house
supervision.

Secretary and executive officer	\$8,000 00	
Compensation for assistants and other employees	122,052 00	
		\$130,052 00

Materials and Supplies:

Stationery and office supplies	\$700 00	
Motor vehicular transportation supplies..	600 00	
Industrial and vocational supplies	40 00	
Printing	100 00	1,440 00

Services Other Than Personal:

Traveling expenses ..	\$7,500 00	
Rent of garages	216 00	
Household expenses..	150 00	
Subscriptions	120 00	7,986 00

Current Repairs and Maintenance:

Automotive equipment	\$500 00	
Office furniture, machines and equipment	160 00	660 00
		\$140,138 00

D 14. REAL ESTATE COMMISSION

Real estate
commission.

Salaries:

Commissioners	\$21,000 00	
Secretary	7,500 00	
Other officers and em- ployees	35,200 00	
		\$63,700 00

Materials and Supplies:

Stationery and office supplies	\$373 00	
Printing	2,180 00	
		2,553 00

Services Other Than Personal:

Traveling expenses ..	\$2,750 00	
Household expenses..	149 20	
Miscellaneous ex- penses	12 00	
Subscriptions	140 00	
Subpoena and class- room fees	500 00	
		3,551 20

Current Repairs and Maintenance:

Office furniture, machines and equip- ment		130 00
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Additions and Improvements:

New office equipment		365 00
		\$70,299 20

D 15. DEPARTMENT OF STATE POLICE

Salaries:

State police.

Colonel and superintendent	\$10,000 00	
Major and deputy superintendent	8,000 00	
Other officers and employees	1,547,588 00	
Contingencies and special services	1,680 00	
Medical and surgical services	10,000 00	
		\$1,577,268 00

Materials and Supplies:

Food and lodging	\$297,000 00	
Clothing	48,400 00	
Heat, light, power, water, gas and electricity	12,000 00	
Motor vehicular transportation supplies..	57,000 00	
Replacements of motor vehicles	35,000 00	
Household and organization supplies ...	11,000 00	
Medical, surgical and chemical supplies ..	1,750 00	
Stationery and office supplies	9,000 00	
Photographing, blue-printing and drafting supplies	3,000 00	
		474,150 00

Services Other Than Personal:

Traveling expenses ..	\$1,500 00	
Freight, express and cartage	75 00	
Emergency fund	1,000 00	

Garage rents	4,350 00	
Rental, fingerprint sorter	2,832 00	
Rental of communica- tions instruments and power	44,000 00	
		53,757 00

Current Repairs and Maintenance:

Automotive equipment	\$35,000 00	
Buildings and grounds	4,850 00	
Parts, tools and re- pairs	5,000 00	
Office furniture, ma- chines and equip- ment	450 00	
Recreational equip- ment	150 00	
Household furniture, machinery and equipment	250 00	
Other equipment	175 00	
		45,875 00

Additions and Improvements:

Scientific equipment..	\$300 00	
Communication equip- ment	2,000 00	
		2,300 00
		\$2,153,350 00

D 16. RACING COMMISSION

Racing
commission.

Salaries:

Secretary	\$7,500 00
Other employees	20,760 00
Per diem inspectors, mutuel calculators, assistant veterina- rian and clerks	39,474 00

Additions Per Diem Inspectors:

Mutuel calculators, as-		
sistant veterinarians		
and clerks	29,648 00	
		\$97,382 00

Materials and Supplies:

Veterinarian supplies.	\$787 00	
Motor vehicular trans-		
portation supplies..	500 00	
Printing	800 00	
Stationery and office		
supplies	1,000 00	
		3,087 00

Services Other Than Personal:

Traveling expenses ..	\$4,760 00	
Household expenses..	28 00	
Subscriptions and		
membership fees ..	928 50	
Investigations and		
engineering inspec-		
tions	2,500 00	
		8,216 50

Current Repairs and Maintenance:

Automotive equipment	\$200 00	
Typewriter repairs ..	110 00	
		310 00

Additions and Improvements:

Office equipment	487 00	
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The sums hereinabove appropriated
are available to meet deficiencies
which may arise during the fiscal
year 1946-47.

\$109,482 50

D 17. DEPARTMENT OF ECONOMIC DEVELOPMENT

Economic
development
department.

Salaries:

Commissioner	\$12,000 00	
Director, Division of Commerce and Mu- nicipal Aid	7,500 00	
Director, Division of Planning and Engi- neering	7,500 00	
Director, Division of Veterans' Services .	7,500 00	
Other officers and em- ployees	428,940 00	
Technical and profes- sional services	10,000 00	
		\$473,440 00

Materials and Supplies:

Heat, light, power, water, gas and elec- tricity	\$600 00	
Household and organ- ization supplies	25 00	
Drugs, medical, surgi- cal and chemical supplies	25 00	
Motor vehicular trans- portation supplies..	650 00	
Stationery and office supplies	6,000 00	
Educational, recrea- tional and library supplies	300 00	
Printing and binding.	9,000 00	
		16,600 00

Services Other Than Personal:

Traveling expenses...	\$15,000 00	
Freight, express and cartage	500 00	
Household expenses..	50 00	
Subscriptions	1,000 00	
Miscellaneous ex- penses	400 00	
Rent of trucks	6,600 00	
Rent of garages	192 00	
Conference charges ..	500 00	
		24,242 00

Current Repairs and Maintenance:

Automotive equipment	\$350 00	
Buildings and grounds	270 00	
Office furniture, ma- chines and equip- ment	2,000 00	
		2,620 00

Extraordinary Expenditures:

Promotional expenses (New Jersey Coun- cil)	\$50,000 00	
Relief subsidies	650,000 00	
		700,000 00

All unexpended balances in the Municipal Aid Fund and the State Relief Fund, as at June 30, 1947, are hereby reappropriated for relief subsidies. The amounts herein appropriated shall be available for 1946-47 relief subsidies if needed.

\$1,216,902 00

D 18. DEPARTMENT OF AVIATION

Aviation
department.

Expenses incurred by the Department
of Aviation, established pursuant to
chapter 1 of Title 6 of the R. S.

Salaries:

Director	\$7,500 00	
Other employees	26,940 00	
	<u> </u>	\$34,440 00

Materials and Supplies:

Stationery and office supplies	300 00
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Services Other Than Personal:

Traveling expenses ..	\$2,500 00	
Rent of airplanes	1,000 00	
Household expenses..	65 00	
Subscriptions	175 00	
Miscellaneous ex- penses	300 00	
	<u> </u>	4,040 00

Current Repairs and Maintenance:

Automotive equipment	300 00
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Additions and Improvements:

New automobile	1,500 00	
	<u> </u>	\$40,580 00
	<u> </u>	

D 19. DEPARTMENT OF ALCOHOLIC BEVERAGE
CONTROLAlcoholic
beverage
control.

Salaries:

Commissioner	\$16,500 00	
Compensation for other assistants and clerical services ...	486,150 00	
	<u> </u>	\$502,650 00

Materials and Supplies:

Heat, light, power, water, gas and elec- tricity	\$100 00	
Stationery and office supplies	4,000 00	
Household and organ- ization supplies	275 00	
Printing and binding.	5,500 00	
Drugs, medical, surgi- cal and chemical supplies	400 00	
		10,275 00

Services Other Than Personal:

Traveling expenses ..	\$55,000 00	
Household expenses..	350 00	
Rent of equipment ...	275 00	
Advertising	700 00	
Subscriptions, mem- bership fees and press clippings	1,800 00	
Rent of storage and control rooms	500 00	
Miscellaneous ex- penses	550 00	
Trucking and wreck- ing	1,800 00	
Subpœna fees and court reporting services	650 00	
		61,625 00

Current Repairs and Maintenance:

Office furniture, machines and equipment	655 00
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The unexpended balances as of June
30, 1947, for the rehabilitation of
alcoholics and the promotion of
temperance education to be admin-
istered by the Commissioner of Al-
coholic Beverage Control, the

Commissioner of the Department of Institutions and Agencies, the Commissioner of Education and the State Director of Health, are hereby reappropriated.

\$575,205 00

Board of
Education:

E. EDUCATIONAL

E 1. STATE BOARD OF EDUCATION

Commissioner's Office

Commis-
sioners;

Salaries:

Commissioner	\$15,000 00	
Six assistant commis- sioners	50,750 00	
Twenty-one county superintendents of schools	126,000 00	
Other officers and employees	170,780 00	
		\$362,530 00

Materials and Supplies:

Motor vehicular transportation sup- plies	\$1,400 00
Replacements of motor vehicles	1,000 00
Stationery and office supplies	17,050 00
Educational, recrea- tional and library supplies	250 00
Printing special bul- letins	4,000 00

Printing educational bulletins	7,200 00	
Printing and binding	175 00	
		31,075 00
Services Other Than Personal:		
Traveling expenses ..	\$9,000 00	
Garage rents	606 00	
Subscriptions and membership fees ..	100 00	
Miscellaneous ex- penses	650 00	
Freight, express and cartage	350 00	
		10,706 00
Current Repairs and Maintenance:		
Automotive equip- ment	\$400 00	
Office furniture, ma- chines and equip- ment	350 00	
		750 00
Unclassified:		
For the purpose of carrying out the pro- visions of article 9, chapter 15 of Title 18 of the R. S. to provide evening schools for foreign- born residents	\$15,000 00	
Establishment and maintenance of li- braries for use of teachers	400 00	
Compensation award, family of Edwin V. Bearer, deceased ..	1,300 00	
		16,700 00
		\$421,761 00

*Division of the State Library, Archives and
History*

State Library, archives and history;	Salaries:		
	Officers and employees	\$72,240 00	
	Materials and Supplies:		
	Vehicular transportation supplies	\$500 00	
	Stationery and office supplies	2,500 00	
	Educational and library supplies	35,000 00	
	Printing and binding	6,000 00	
			44,000 00
	Services Other Than Personal:		
	Traveling expenses ..	\$600 00	
	Garage rents	96 00	
	Freight, express and cartage	625 00	
	Miscellaneous expenses	125 00	
	Legislative reference division	250 00	
	Formation and aid of county and school libraries	10,000 00	
	Donations to libraries	200 00	
			11,896 00
	Current Repairs and Maintenance:		
	Automotive equipment	\$150 00	
	Office furniture, machines and equipment	250 00	
			400 00
	Additions and Improvements:		
	Microfilming	4,500 00	
			\$132,036 00

Division of the State Museum

Salaries:

State Museum;

Officers and employees	\$44,220 00	
Special services	1,660 00	
Fees for lectures	275 00	
		\$46,155 00

Materials and Supplies:

Clothing	\$100 00	
Stationery and office supplies	1,250 00	
Educational, recreational and library supplies	600 00	
Other materials and supplies	750 00	
Printing and binding	1,500 00	
Lantern slides and films	7,500 00	
		11,700 00

Services Other Than Personal:

Traveling expenses ..	\$250 00	
Rent of equipment ..	200 00	
Freight, express and cartage	400 00	
Subscriptions and memberships	130 00	
		980 00

Current Repairs and Maintenance:

Machines and equipment	\$50 00	
Repairs to exhibits, equipment and lending collections	1,150 00	
		1,200 00
		\$60,035 00

Academic Certificate Fund

Academic certificate fund;	Salaries	\$10,200 00	
	Materials and supplies .	275 00	
	Services other than per- sonal	2,000 00	
			\$12,475 00

Division Against Discrimination

Division against discrimination.	Salaries:		
	Assistant c o m m i s - sioner of education	\$8,250 00	
	Other officers and em- ployees	33,870 00	
			\$42,120 00
	Materials and Supplies:		
	Motor vehicular transportation sup- plies	\$1,000 00	
	Stationery and office supplies	1,000 00	
	Educational and li- brary supplies	1,000 00	
	Printing and binding	500 00	
			3,500 00
	Services Other Than Personal:		
	Traveling expenses ..	\$2,500 00	
	Rents (garage)	144 00	
	Miscellaneous ex- penses	100 00	
			2,744 00
			\$48,364 00

There is appropriated to the Division
Against Discrimination, the unex-
pended balances of the fiscal year
1946-47.

\$675,671 00

Payments under this account to be
made pursuant to R. S. 18:10-31,
and subsequent legislation.

1-E-1. EDUCATION INSTITUTION CONSTRUCTION FUND

For construction of educational in-
stitutions at the various teachers
colleges as allotted by the State
Board of Education\$1,000,000 00

Education
institution
construction
fund.

TEACHERS' COLLEGES

E 2-I. GLASSBORO

For salaries and for the maintenance
of the State Teachers College,
Glassboro.

Teachers'
colleges:
Glassboro;

Salaries:

President	\$9,250 00	
Teachers	127,804 80	
Other employees	48,742 00	
		\$185,796 80

Materials and Supplies:

Food	\$24,200 00	
Heat, light, power, water, gas and elec- tricity	13,200 00	
Household supplies ..	1,870 00	
Farm, stable and grounds supplies ..	400 00	
Educational, recrea- tional and library supplies	4,800 00	
Stationery and office supplies	350 00	
Printing and binding	465 00	
Drugs, medical, surgi- cal and chemical supplies	50 00	
Motor vehicular transportation sup- plies	75 00	
		45,410 00

Services Other Than Personal:

Traveling expenses ..	\$1,400 00	
Subscriptions and memberships	100 00	
Commencement ex- penses	100 00	
Rents (extension class- room)	100 00	
Freight, express and cartage	250 00	
Miscellaneous ex- penses	100 00	
Sewer rental	195 00	
Advertising	100 00	
Laundry service	775 00	
		3,120 00

Current Repairs and Maintenance:

Automotive equipment	\$100 00	
Buildings and grounds	4,950 00	
Farm machinery	50 00	
Recreational equip- ment	50 00	
Scientific and labora- tory equipment ..	50 00	
Office furniture, ma- chines and equip- ment	50 00	
Household furniture, machinery and equipment	225 00	
		5,475 00

Additions and Improvements:

Tractor and attachments	1,500 00	
		\$241,301 80

E 2-J. JERSEY CITY

For salaries and for the maintenance
of the State Teachers College, Jer-
sey City.

Jersey City:

Salaries:

President	\$8,500 00	
Teachers	162,938 00	
Other employees	34,875 00	
		\$206,313 00

Materials and Supplies:

Heat, light, power, water, gas and elec- tricity	\$8,800 00	
Educational, recrea- tional and library supplies	8,000 00	

Stationery and office supplies	800 00	
Other materials and supplies (cafeteria)	50 00	
Printing, including catalog	1,200 00	
Household supplies ..	1,500 00	
Ground supplies	600 00	
Drugs, medical, surgical and chemical supplies	100 00	
		\$21,050 00
Services Other Than Personal:		
Traveling expenses ..	\$950 00	
Miscellaneous expenses	75 00	
Commencement expenses	260 00	
Freight, express and cartage	60 00	
Household expenses .	363 00	
Advertising	250 00	
Entertainment expenses	100 00	
Subscriptions and memberships	135 00	
		2,193 00
Current Repairs and Maintenance:		
Buildings and grounds	\$6,600 00	
Office furniture, machines and equipment	100 00	
Household furniture, machinery and equipment	447 00	
		7,147 00
		\$236,703 00

E 2-K. NEWARK

For salaries, and for maintenance of
the State Teachers College, Newark.

Newark;

Salaries:

President	\$9,000 00	
Teachers	200,840 00	
Other employees	41,080 00	
		\$250,920 00

Materials and Supplies:

Heat, light, power, water, gas and elec- tricity	\$7,645 00	
Educational, recrea- tional and library supplies	6,500 00	
Stationery and office supplies	1,000 00	
Ground supplies (in- cluding ash re- moval)	500 00	
Household supplies ..	715 00	
Printing	1,500 00	
Drugs, medical, surgi- cal and chemical supplies	100 00	
		17,960 00

Services Other Than Personal:

Traveling expenses ..	\$1,400 00	
Subscriptions a n d memberships	50 00	
Freight, express and cartage	75 00	
Advertising	100 00	
C o m m e n c e m e n t and social program ex- penses	200 00	
		1,825 00

Current Repairs and Maintenance:

Buildings and grounds	\$5,150 00	
Household furniture, machinery and equipment	300 00	
Office furniture, ma- chines and equip- ment	200 00	
Other equipment	100 00	
		5,750 00
		<u>\$276,455 00</u>

E 2-L. PATERSON

Paterson;

For salaries, and for maintenance of
the State Teachers College, Pater-
son, pursuant to the provisions of
R. S. 18:16-29 and R. S. 18:16-19.

Salaries:

President	\$9,250 00	
Teachers	112,450 00	
Other Employees	18,630 00	
		\$140,330 00

Materials and Supplies:

Heat, light, power, water, gas and elec- tricity	\$3,795 00	
Educational, recrea- tional and library supplies	5,000 00	
Stationery and office supplies	500 00	
Printing	850 00	
Drugs, medical, surgi- cal and chemical supplies	50 00	

Other materials and supplies	20 00	
Household supplies ..	594 00	
		10,809 00
Services Other Than Personal:		
Traveling expenses ..	\$900 00	
Household expenses..	100 00	
Advertising	200 00	
Freight, express and cartage	75 00	
Subscriptions	200 00	
Commencement ex- penses	100 00	
		1,575 00
Current Repairs and Maintenance:		
Office furniture, ma- chines and equip- ment	\$75 00	
Buildings and grounds	275 00	
Scientific and labora- tory equipment	50 00	
		400 00
		\$153,114 00

E 2-M. MONTCLAIR

For salaries and for maintenance of
the State Teachers College, Mont-
clair.

Montclair;

Salaries:		
President	\$9,250 00	
Teachers	302,390 00	
Other employees	85,452 00	
		\$397,092 00

Materials and Supplies:

Food	\$44,000 00	
Heat, light, power, water, gas and elec- tricity	24,255 00	
Educational, recrea- tional and library supplies	10,000 00	
Engineering supplies.	35 00	
Stationery and office supplies	1,300 00	
Ground supplies	900 00	
Other materials and supplies	425 00	
Printing	2,125 00	
Household supplies ..	3,960 00	
Photographic supplies	150 00	
Motor vehicular trans- portation supplies..	80 00	
Drugs, medical, surgi- cal and chemical supplies	200 00	
		87,430 00

Services Other Than Personal:

Traveling expenses ..	\$2,350 00	
Freight, express and cartage	275 00	
Household expenses..	500 00	
Advertising	200 00	
Subscriptions and memberships	265 00	
Commencement ex- penses	500 00	
		4,090 00

Current Repairs and Maintenance:

Other equipment	\$150 00	
Buildings and grounds	16,500 00	
Household furniture, machinery and equipment	300 00	

Office furniture, machines and equipment	200 00	
Scientific and laboratory equipment	125 00	
		17,275 00
		<u>\$505,887 00</u>

E 2-N. TRENTON

For salaries, and for the maintenance
of the State Teachers College,
Trenton.

Trenton.

Salaries:

President	\$9,250 00	
Business manager ...	4,500 00	
Teachers	303,055 00	
Other employees	137,530 00	
Supervision of dormitories	8,400 00	
		\$462,735 00

Materials and Supplies:

Food	\$71,390 00	
Heat, light, power, water, gas and electricity	35,000 00	
Educational, recreational and library supplies	10,000 00	
Stationery and office supplies	1,000 00	
Printing	1,425 00	
Motor vehicular transportation supplies..	300 00	
Replacement of motor vehicles	5,400 00	
Ground supplies	450 00	

Household supplies ..	4,400 00	
Drugs, medical, surgical and chemical supplies	300 00	
		129,665 00
Services Other Than Personal:		
Traveling expenses...	\$2,050 00	
Household expenses..	6,000 00	
Subscriptions and memberships	180 00	
Commencement expenses	200 00	
Freight, express and cartage	100 00	
		8,530 00
Current Repairs and Maintenance:		
Automotive equipment	\$100 00	
Office furniture, machines and equipment	100 00	
Buildings and grounds	11,000 00	
Household furniture, machinery and equipment	800 00	
Scientific and laboratory equipment	580 00	
Recreational equipment	40 00	
Farm machinery	50 00	
		12,670 00
		\$613,600 00
Total teachers' colleges		\$2,027,060 80

In addition to the several amounts above appropriated, there may be expended, upon the approval of the Commissioner of Taxation and Fi-

nance, any moneys received from dormitory, or extension course fees or charges in excess of the receipts anticipated.

The moneys in this item appropriated to be deducted in the same manner as the moneys appropriated to normal schools are required to be deducted, pursuant to R. S. 18:10-31, and subsequent legislation.

E 3. THE SCHOOL FOR THE DEAF AND THE MANUAL
TRAINING AND INDUSTRIAL SCHOOL FOR
COLORED YOUTH

E 3-I. SCHOOL FOR THE DEAF

For salaries and for maintenance of
the New Jersey School for the Deaf.

School for
the Deaf.

Salaries:

Superintendent	\$5,200 00	
Principals, teachers and instructors	193,207 00	
Other officers and em- ployees	138,907 00	
Special services	1,300 00	
Inauguration of 48- hour-week program	13,920 00	
		\$352,534 00

Materials and Supplies:

Food	\$40,700 00
Clothing	1,500 00
Heat, light, power, water, gas and elec- tricity	30,000 00
Household supplies ..	8,800 00
Farm, stable and grounds supplies ..	1,200 00
Industrial and voca- tional supplies ...:	7,500 00

Drugs, medical, surgical and chemical supplies	1,000 00	
Educational, recreational and library supplies	4,500 00	
Stationery and office supplies	265 00	
Motor vehicular transportation supplies..	600 00	
Other materials and supplies (fire fighting)	350 00	
Replacement of heating equipment	9,800 00	
Earphones and equipment	2,400 00	
		108,615 00
Services Other Than Personal:		
Traveling expenses (including children's carfare)	\$1,000 00	
Entertainment expenses	750 00	
Freight, express and cartage	50 00	
		1,800 00
Current Repairs and Maintenance:		
Automotive equipment	\$400 00	
Buildings and grounds	12,000 00	
		12,400 00
Additions and Improvements:		
Fire and panic exit devices	5,445 00	
		\$480,794 00

E 3-J. MANUAL TRAINING AND INDUSTRIAL SCHOOL
FOR COLORED YOUTH

For salaries, and for maintenance of
the Manual Training and Industrial
School for Colored Youth.

Industrial
School for
Colored Youth,
Bordentown.

Salaries:

Principal	\$6,000 00	
Teachers	93,320 00	
Other officers and em- ployees	69,810 00	
Student labor	6,000 00	
Religious services ...	200 00	
		\$175,330 00

Materials and Supplies:

Food	\$35,200 00	
Heat, light, power, water, gas and elec- tricity	32,670 00	
Household and organ- ization supplies ...	8,800 00	
Farm, stable and grounds supplies ..	12,595 00	
Industrial and voca- tional supplies	4,000 00	
Printing	300 00	
Educational, recrea- tional and library supplies	4,000 00	
Drugs, medical, surgi- cal and chemical sup- plies	750 00	
Stationery and office supplies	200 00	
Office equipment and replacement	500 00	
Motor vehicular trans- portation supplies..	650 00	
		99,665 00

Services Other Than Personal:

Traveling expenses ..	\$600 00	
Entertainment ex- penses	600 00	
Freight, express and cartage	30 00	
Subscriptions	20 00	
Commencement ex- penses	80 00	
Rental railroad siding	30 00	
		1,360 00

Current Repairs and Maintenance:

Automotive equipment	\$150 00	
Office furniture, ma- chines and equip- ment	100 00	
Buildings and grounds	11,660 00	
Farm machinery	1,050 00	
		12,960 00

Additions and Improvements:

Station wagon and equipment	\$1,600 00	
Replace refrigerators.	10,000 00	
		11,600 00
		\$300,915 00

Payments under this account to be
made pursuant to R. S. 18:10-31,
and subsequent legislation.

E 4. THE STATE UNIVERSITY OF NEW JERSEY

General University

Salaries:

Officers, members of faculty and other employees	\$4,329,350 01
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State
University.

Materials and Supplies:

Food	\$213,200 00	
Heat, light, power, water, gas and elec- tricity	147,740 00	
Supplies	241,948 00	
Stationery and print- ing	70,000 00	
Equipment	250,000 00	
Books, periodicals and binding supplies ...	107,500 00	
		1,030,388 00

Services Other Than Personal:

Travel	\$75,000 00
Telephone	27,500 00
Rent	1,200 00
Insurance	42,240 00
Group insurance	35,000 00
Freight, express and cartage	4,000 00
Household services (laundry)	14,250 00
Auditing and legal ex- penses	5,000 00
Taxes and municipal services	28,000 00
Memberships	1,467 00
Investment expenses .	4,000 00
Postage	25,000 00
Forensic board	3,000 00
C o m m e n c e m e n t ex- penses	11,500 00

Sundry expenses	10,500 00	
Incidentals	50,000 00	
		337,657 00

Current Repairs and Maintenance:		
Plant repairs	\$350,000 00	
Equipment repairs ...	20,000 00	
		370,000 00

Additions and Improvements:		
Purchase of live stock (Agricultural College)		5,000 00

Unclassified:		
Rutgers studies	\$500 00	
Research grants	180,000 00	
Geological survey	3,600 00	
Retirement allowances	35,501 00	
Expenses paid from special funds	72,500 00	
Athletic guarantees ..	33,475 00	
Contingent fund	19,903 00	
Interest	49,700 00	
Debt service	20,000 00	
Amortization of veterans' facilities	230,000 00	
Depreciation	42,000 00	
Reserves	54,405 00	
Unallocated	333,000 00	
Land grant interest	5,800 00	
		1,080,384 00
		\$7,152,779 01

Less Income:		
State scholarships (including Newark colleges)	\$176,000 00	
Student income	2,715,750 00	
Endowment income ..	128,000 00	
Miscellaneous income	1,300 00	

F e d e r a l appropriations	454,689 00	
Dormitories	489,400 00	
Cafeteria	350,000 00	
Intercollegiate athletics	106,790 00	
F e d e r a l emergency farm labor	52,000 00	
Preparatory school ..	103,000 00	
A l u m n æ association fund and council ...	33,780 00	
Newark colleges (exclusive of State scholarships)	913,895 00	
Scholarship reserves .	90,126 00	
Total general university income deductions	5,614,730 00	
		\$1,538,049 01

The unexpended balance as of June 30, 1947, of the appropriation providing for the first unit of the new Chemistry building, is hereby reappropriated.

New Jersey College for Women

Salaries	\$930,999 00	
Materials and Supplies:		College for Women.
Food	\$156,524 00	
Heat, light and power	64,830 00	
Stationery and printing	10,000 00	
Supplies	30,000 00	
Equipment	15,000 00	
Books, periodicals and binding supplies ...	15,000 00	
		291,354.00

Services Other Than Personal:

Travel	\$3,175 00	
Telephone	7,700 00	
Rents	4,276 00	
Insurance	15,000 00	
Group insurance	5,000 00	
Household expense ..	2,950 00	
Postage	3,000 00	
Incidentals	5,500 00	
Taxes and municipal services	10,283 00	
Investment expense ..	1,300 00	
C o m m e n c e m e n t ex- pense	1,000 00	
Sundry expense	3,000 00	
Auditing and legal ex- pense	800 00	
		62,984 00

Current Repairs and Maintenance:

Plant repairs	\$75,000 00	
Equipment repairs ..	1,750 00	
		76,750 00

Unclassified:

Retirement allowance	\$7,794 00	
Expenses paid from special funds	49,700 00	
Alumnæ records	3,600 00	
Ice plant	500 00	
Contingent	8,000 00	
Interest	17,500 00	
Debt service	15,000 00	
Depreciation	54,300 00	
Reserve	20,000 00	
		176,394 00
		\$1,538,481 00

Less Income:

State scholarships . . .	\$84,000 00	
Student income	230,800 00	
Smith-Hughes fund (Federal and State)	9,800 00	
Rents from rented property	4,276 00	
Kitchen and dining hall	320,000 00	
Dormitories	220,000 00	
Endowment income ..	65,100 00	
Debt service amortiza- tion	15,000 00	
		948,976 00
		\$589,505 00

Agricultural Experiment Station

Salaries:

Director	\$6,000 00	
Other officers and em- ployees	623,252 84	
		\$629,252 84

Agricultural
Experiment
Station.

Materials and Supplies:

Heat, light, power, water, gas and elec- tricity	\$24,870 00
Farm, stable and grounds supplies ..	53,095 00
Household and organ- ization supplies	150 00
Drugs, medical, surgi- cal and chemical supplies	23,679 00
Motor vehicular transportation sup- plies	5,617 00

Replacement of motor vehicles	5,000 00	
Stationery and office supplies	3,120 00	
Printing, binding, photographing, blue-printing	8,371 00	
		123,902 00
Services Other Than Personal:		
Traveling expenses ..	\$8,000 00	
Rents	402 00	
Freight, express and cartage	450 00	
Household expenses ..	300 00	
Development and operation of mosquito traps	400 00	
Subscriptions	1,534 00	
Registration of animals	360 00	
Garage rents	718 00	
Veterinary and medical treatment	755 00	
		12,919 00
Current Repairs and Maintenance:		
Automotive equipment	\$5,200 00	
Buildings and grounds	6,400 00	
Scientific equipment ..	2,910 00	
		14,510 00
Additions and Improvements:		
Additional laboratory equipment for State chemist		2,289 00
New Buildings and Land:		
Agricultural science building, including equipment		1,000,000 00

The unexpended balance as of June, 30, 1947, of the appropriation providing to carry out the provisions of Chapter 137 of the Laws of 1946, is hereby reappropriated.

\$1,782,872 84

It is expressly provided that of the appropriation for the agricultural science building, \$15,000.00 shall be used to erect an isolation building for diseased poultry.

Scholarships

Scholarships at Rutgers University and the New Jersey College for Women:

General university	\$176,000 00	
New Jersey College for Women	84,000 00	
		260,000 00
		\$4,170,426 85

In addition thereto, it is recommended that all balances remaining in the Scholarship Fund as of June 30, 1947, be reappropriated for the extension of the university's services to veterans.

Payments under this account to be made pursuant to R. S. 18:10-31, and subsequent legislation.

E 5. NEWARK TECHNICAL SCHOOL AND
NEWARK COLLEGE OF ENGINEERING

For the purchase of
higher education at
the Newark Technical
School and Newark
College of Engineer-
ing \$145,000 00

State's share of cost of
proposed Laboratory
Building Extension .. 125,000 00

\$270,000 00

It is expressly provided that the sum representing the State's share of the proposed cost of the Laboratory Building Extension shall become available only if the City of Newark provides \$62,500.00 as its share of this Building Extension Program.

Payments under this account to be made pursuant to R. S. 18:10-31, and subsequent legislation.

E 6. INDUSTRIAL EDUCATION, MANUAL TRAINING
AND VOCATIONAL SCHOOLS

INDUSTRIAL EDUCATION

Industrial
education.

Unclassified:

For payments to schools estab-
lished for industrial education
pursuant to R. S. 18:15-24 \$69,000 00

MANUAL TRAINING

Unclassified:

Manual
training.

For payments to schools for manual training, pursuant to R. S., chap- ter 9 of Title 52	\$700,000 00
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VOCATIONAL SCHOOLS

Unclassified:

Vocational
schools.

For State Aid to Vocational Schools, pursuant to chapter 76, laws of 1916, which provides for the appropriation of State funds for the purpose of carrying out the provisions of article 5, chap- ter 15, of Title 18 of the R. S. ...	\$410,000 00
To carry into effect provisions of article 1, chapter 17 of Title 18 of the R. S. (Smith-Hughes)	31,755 49
Matching George-Deen Vocational Law	26,000 00
Teacher Training—Match- ing George-Deen Revision	26,000 00
	\$493,755 49
	\$1,262,755 49

Payments under this account to be
made pursuant to R. S. 18:10-31,
and subsequent legislation.

E 7. STATE PUBLIC SCHOOL ACCOUNT

State public school account.	To carry out the provisions of Chapter 63, Laws of 1946.	
	Section 6 (1) Formula	\$9,309,778 00
	(2) Transportation ...	2,151,040 65
	Section 7 Dependent children	356,535 00
	Section 8 Regional high school	274,745 92
	Section 9 Helping teachers, attendance officers, county supervisor of child study (salaries and expenses) ..	258,220 00
	Section 14 Deficiency fund ..	700,000 00
	Additional deficiency money needed	61,470 10
	Emergency fund ..	100,000 00
		\$13,211,789 67

Payments under this account to be made pursuant to R. S. 18:10-31, and subsequent legislation.

E 8. TEACHERS' PENSION AND ANNUITY FUND

Teachers' Pension and Annuity Fund.	Unclassified:	
	State's contribution to Teachers' Pension and Annuity Fund, pursuant to article 3, chapter 13 of Title 18 of the R. S.	
	Pension Accumulation Fund	\$2,669,274 00
	Pension Fund—	
	Normal contribution	234,602 00
	Deficiency contribution	3,859,057 00

Administration Expenses

Salaries and Wages:		
Secretary	\$10,000 00	
Actuary	3,375 00	
Chief medical examiner	500 00	
Other employees	78,470 00	
		\$92,345 00
Materials and Supplies:		
Printing, stationery and supplies ..	4,000 00	
Services Other Than Personal:		
Expenses of delegates, secretary and trustees	\$1,400 00	
Expenses of medical examination	500 00	
Rent	9,600 00	
Telephone and telegraph	1,000 00	
Postage	4,000 00	
Freight and express	25 00	
Incidentals	2,925 00	
		19,450 00
Current repairs and maintenance	1,200 00	
		\$116,995 00
For interest due		
Teachers' Pension and Annuity Fund pursuant to chapter 159, laws of 1941 as amended by chapter 112, laws of 1946 ..	179,683 35	
Interest 18:13-103	800,000 00	
Payments to the Teachers' Pension and Annuity Fund, pursuant to chapter 190, laws of 1942 ...	1,266,556 00	
		9,126,167 35

It is expressly provided that to meet part of the cost of the interest deficiency (18:13-103) set forth above, the trustees of the Teachers' Pension and Annuity Fund shall take from the Special Reserve Fund established by chapter 145, of the laws of 1946, or any other funds representing profits earned on the sale of securities, the sum of 300,000 00

\$8,826,167 35

Should School Apportionment Funds be insufficient to make payment pursuant to the provisions of 18:10-31, additional funds to meet this appropriation shall be drawn from the General State Fund.

TE 10. STATE SCHOOL FUND

State school
fund.

The following sums or so much thereof as may be necessary are hereby appropriated out of the income of the school fund for the purposes specified:

School Fund Expenses

Necessary Legal and Other Expenses:

Salaries	\$4,500 00	
Other expenses	500 00	
		\$5,000 00

Refunds

Whenever by the conversion of a lease into a grant, or by the execution of a new lease, the rental that has been paid in advance to the State for land under water under riparian lease is in excess of the amount actually accruing and owing thereunder, the same has been carried to the credit of the trustees of the school fund, the State Treasurer, upon warrant of the Commissioner of Taxation and Finance, is hereby authorized and directed at any time upon application of the persons entitled to the same, to repay such excess from the income of the school fund.

F. AGRICULTURE

F 1. STATE SOIL CONSERVATION COMMITTEE

Salaries:		
Employees	\$240 00	State Soil Conservation Committee.
Per diem conservation district supervisors and temporary labor	1,760 00	
		\$2,000 00
Materials and Supplies:		
Printing		150 00
Services Other Than Personal:		
Traveling expenses ..	\$875 00	
Subscriptions	18 00	
		893 00
Current repairs to farm machinery ..		500 00
		\$3,543 00

F 2. DEPARTMENT OF AGRICULTURE

Department of
Agriculture. Salaries and administration of the
Department of Agriculture pursuant to chapter 1 of Title 4 of the
R. S.

Salaries:

Secretary	\$10,000 00	
Other officers and employees	434,712 00	
		\$444,712 00

Materials and Supplies:

Heat, light, power, water, gas and electricity	\$1,920 00	
Drugs, medical, surgical and chemical supplies	11,800 00	
Motor vehicular transportation supplies..	8,000 00	
Stationery and office supplies	5,880 00	
Educational, recreational and library supplies	250 00	
Other materials and supplies	750 00	
Printing and binding.	8,000 00	
Field and exhibit supplies	750 00	
		37,350 00

Services Other Than Personal:

Traveling expenses ..	\$23,805 00
Freight, express and cartage	80 00
Household expenses ..	500 00
Subscriptions and membership fees ...	685 00

Miscellaneous ex-		
penses	750 00	
Maintenance of adult		
fairs	4,500 00	
Garage rents	2,888 00	
U. S. Department of		
Agriculture fees ...	770 00	
Miscellaneous rentals.	560 00	
Maintenance boys' and		
girls' 4-H Club ex-		
hibits	17,500 00	
Exhibits	2,000 00	
		54,038 00
Current Repairs and Maintenance:		
Buildings and grounds	\$770 00	
Automotive equipment	5,500 00	
Office furniture, ma-		
chines and equip-		
ment	540 00	
Scientific equipment ..	400 00	
		7,210 00
Additions and Improvements:		
New automobiles	\$6,200 00	
Office equipment	2,000 00	
		8,200 00
Unclassified Expenditures:		
Indemnities—Condemned Cattle ..	75,000 00	
		\$626,510 00
Less fees available for departmental		
use	25,000 00	
The unexpended balances in this ac-		
count as of June 30, 1947, are hereby		
reappropriated.		
		\$601,510 00

F 3. STATE BOARD OF MILK CONTROL

Milk control board.	Salaries:		
	Director	\$10,000 00	
	Other officers and em- ployees	83,140 00	
	Fees (members of board)	3,600 00	
	Professional service at hearings	1,000 00	
			\$97,740 00
	Materials and Supplies:		
	Motor vehicular trans- portation supplies..	\$2,300 00	
	Stationery and office supplies	1,200 00	
	Printing	200 00	
			3,700 00
	Services Other Than Personal:		
	Traveling expenses ..	\$5,500 00	
	Garage rents	475 00	
	Other rents	35 00	
	Household expenses ..	65 00	
	Advertising (notices of hearings)	100 00	
	Subscriptions	200 00	
	Miscellaneous ex- penses	335 00	
			6,710 00
	Current Repairs and Maintenance:		
	Automotive equipment	\$1,550 00	
	Office furniture, ma- chines and equip- ment	300 00	
			1,850 00
			\$110,000 00

G. MILITARY

G 1-I. ADJUTANT-GENERAL'S DEPARTMENT

Salaries:		Adjutant-general.
Adjutant-General	\$8,544 00	
Other officers and employees	99,524 00	
		\$108,068 00
Materials and Supplies:		
Stationery and office supplies	\$1,000 00	
Motor vehicular transportation supplies..	590 00	
Educational, recreational and library supplies	75 00	
Printing and binding.	1,400 00	
		3,065 00
Services Other Than Personal:		
Traveling expenses ..	\$450 00	
Household expenses ..	75 00	
Subscriptions and membership fees ...	561 50	
Miscellaneous expenses	50 00	
		1,136 50
Current Repairs and Maintenance:		
Automotive equipment	\$300 00	
Office furniture, machines and equipment	150 00	
		450 00
		\$112,719 50

G 2. NATIONAL GUARD AND/OR STATE GUARD

*For Maintenance and Operation of Installations
and Expenses of National Guard and/or
State Guard*National or
State guard.

Salaries:

Employees	\$398,411 53	
Fees of examining surgeons	2,000 00	
		\$400,411 53

Materials and Supplies:

Heat, light, power, water, gas and elec- tricity	\$100,000 00	
Household and organ- ization supplies	12,000 00	
Motor vehicular trans- portation supplies..	2,000 00	
		114,000 00

Services Other Than Personal:

Telephone and tele- graph	\$6,000 00	
Traveling expenses (military board) ...	375 00	
Rent of buildings	5,500 00	
Insurance (fire)	40,000 00	
Insurance (other than fire)	33,000 00	
Household expenses ..	500 00	
Postage	300 00	
		85,675 00

Current Repairs and Maintenance:

Buildings and grounds	\$37,000 00	
Furniture and equip- ment	1,000 00	
Automotive equipment	1,800 00	
		39,800 00

Unclassified Expenses:

Medical attendance for N a t i o n a l and/or State Guard claims	\$6,000 00	
Death claims for Pvt. Thomas Leidner ..	531 96	
Expenses of National Guard for drills, inspections, parades, schools of instruc- tion, etc.	2,000 00	
Encampment expenses	30,000 00	
Equipping and main- taining the National Guard	50,000 00	
		88,531 96

In addition to the amounts herein-
above specifically appropriated the
Quartermaster-General is hereby
authorized to utilize such available
funds as he may have in his cus-
tody, made up from Armory
Rentals, etc.

\$728,418 49

G 3. NAVAL MILITIA

Salaries:

Armors and caretakers	\$10,200 00
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Naval militia.

Materials and Supplies:

H e a t, light, power, water, gas and elec- tricity	\$3,000 00	
Household and organ- ization supplies ...	1,450 00	
		4,450 00

Services Other Than Personal:

Telephone and telegraph	\$500 00	
Household expenses ..	50 00	
Allowance for organization	5,500 00	
		6,050 00

Current Repairs and Maintenance:

Buildings and grounds	\$750 00	
Furniture and equipment	100 00	
		850 00

Unclassified Expenditures:

Expenses in connection with drills, cruises, inspections, etc.	1,000 00	
		\$22,550 00

G 4. QUARTERMASTER-GENERAL'S DEPARTMENT

Quartermaster-general. Salaries:

Quartermaster-General	\$8,544 00	
Compensation for assistants	68,217 34	
		\$76,761 34

Materials and Supplies:

Stationery and office supplies	500 00	
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Services Other Than Personal:

Subscriptions and membership fees	100 00	
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Current Repairs and Maintenance:

Office furniture, machines and equipment	100 00	
		\$77,461 34

H. PENSION AND RETIREMENT FUND

H 1. JUDICIAL RETIREMENT FUND

Unclassified:

For current obligations, according to the provisions of article 1, chapter 6 of Title 43 of the R. S.	\$33,500 00	Judicial retirement fund.
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H 2. PENSIONS

For amount required to pay pensions pursuant to various acts relative thereto:	Pensions.
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Heath Act	\$79,000 00	
Veterans' Act	79,000 00	
Blind Veterans' Act	24,000 00	
Miscellaneous Special Acts	26,000 00	
Paraplegic Veterans Act	12,500 00	
	\$220,500 00	

H 3. STATE EMPLOYEES' RETIREMENT SYSTEM

Expenses in carrying into effect the provisions of chapter 14 of Title 43 of the R. S.	State Employees' Retirement System.
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Salaries:

Secretary	\$5,820 00	
Compensation for as- sistants	44,660 00	
Compensation paid from receipts	3,600 00	
	\$54,080 00	

Materials and Supplies:

Stationery and office supplies	\$1,000 00	
Printing	700 00	
		1,700 00

Services Other Than Personal:

Rent of safe deposit box	\$190 00	
Freight, express and cartage	25 00	
Subscriptions	360 00	
Miscellaneous expenses	100 00	
Medical examinations.	250 00	
		925 00

Current Repairs and Maintenance:

Office furniture, maintenance and equipment		150 00
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Unclassified Expenditures:

For Contingent Reserve Fund created by R. S. 43:14-12 and 43:14-14 State's Accrued Liability Contribution	\$3,000 00	
State's share, on account of members' service	647,108 00	
State's share, contributions on account of members' service of employees whose salaries were paid from the State Highway Fund	255,408 00	
		905,516 00
		\$962,371 00

H 4. ANNUITY FOR WIDOWS OF GOVERNORS

Unclassified:

Annuity for widows of Governors of New Jersey at the rate of \$2,500.00 per annum	\$5,000 00
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Annuity for
Governors'
widows.

H 5. STUDY OF STATE PENSION SYSTEMS

Unclassified:

To the Commissioner of Taxation and Finance in the event it be- comes necessary to retain actu- aries or other assistants to con- duct a study into the financial requirements of present State pension funds	\$10,000 00
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The unexpended balance in this
account as of June 30, 1947, is
hereby reappropriated.

State pension
systems study.

H 6. POLICE AND FIREMEN'S RETIREMENT SYSTEM

Salaries:

Other employees	\$5,000 00
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Police and
firemen's
retirement
system.

Materials and Supplies:

Stationery and office supplies	\$750 00
Printing, binding, photographing and blueprinting	600 00
	1,350 00

Services Other Than Personal:

Traveling expenses ..	\$300 00	
Telephone and tele- graph	270 00	
Rent of offices	1,500 00	
Freight, express and cartage	50 00	
Subscriptions	200 00	
Postage	150 00	
Miscellaneous ex- penses	50 00	
		2,520 00

The unexpended bal-
ances in this account
as at June 30, 1947, are
hereby reappropriated.

\$8,870 00

H 7. POLICE AND FIREMEN'S APPORTIONMENT FUND

Police and
firemen's
apportionment
fund.

Apportionment Fund as provided by
chapter 254, laws of 1944\$1,000,000 00

H 8. PRISON OFFICERS' PENSION FUND

Prison officers'
pension fund.

Sum required as State's share to June
30, 1948 \$50,000 00

J. CONSTRUCTIVE

J 1. SOUTH JERSEY PORT COMMISSION

For the purpose of carrying out the
provisions of chapter 11 of Title 12
of the R. S.

South Jersey
Port
Commission.

Salaries:

Secretary	\$7,500 00	
Other employees	19,919 00	
		\$27,419 00

Materials and Supplies:

Motor vehicular transportation sup- plies	\$250 00	
Stationery and office supplies	225 00	
Office equipment re- placement	500 00	
Printing	300 00	
Educational and li- brary supplies	300 00	
Engineering supplies	100 00	
		1,675 00

Services Other Than Personal:

Traveling expenses ..	\$1,000 00	
Telephone and tele- graph	175 00	
Insurance (other than fire)	442 08	
Advertising (legal) ..	75 00	
Subscriptions a n d membership fees ..	470 00	
Postage	200 00	
Traffic and stream sur- veys	250 00	
Miscellaneous ex- penses	175 00	
		2,787 08

Current Repairs and Maintenance:

Automotive equip- ment	\$200 00	
Repairs to office ma- chines and equip- ment	38 00	
		<u>238 00</u>

Extraordinary Expenditures:

Dredging work in port districts ..	50,000 00	
		<u>\$82,119 08</u>

K. GENERAL

K 1. BURIAL GROUNDS

Burial
grounds.

Salaries:

Custodian of burial grounds, pur- suant to chapter 171, laws of 1898	\$75 00	
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K 2. COMMISSION ON STATE TAX POLICY

State tax
policy
commission.

Unclassified:

For the expenses (chapter 157, laws of 1945)	\$10,000 00	
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K 3. PALISADES INTERSTATE PARK COMMISSION

Palisades
Interstate
Park.

Salaries:

Employees	\$141,428 00	
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Materials and Supplies:

Clothing	\$750 00	
Heat, light, power, water, gas and elec- tricity	5,500 00	
Ground supplies	200 00	
Household and organ- ization supplies	500 00	
Drugs, medical, surgi- cal and chemical supplies	50 00	
Motor vehicular transportation sup- plies	750 00	
Replacements of mo- tor vehicles	2,000 00	
Stationery and office supplies	400 00	
Photographing, blue- printing and draft- ing supplies	100 00	
Engineering supplies	100 00	
Cliff rescue equip- ment	600 00	
		10,950 00

Services Other Than Personal:

Traveling expenses ..	\$50 00	
Telephone and tele- graph	1,000 00	
Postage	250 00	
		1,300 00

Current Repairs and Maintenance:

Automotive equip- ment	\$1,950 00	
Buildings and grounds	2,600 00	
Other equipment	500 00	
		5,050 00

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Additions and Improvements:

Hull for dredge	\$20,000 00	
Clamshell bucket for		
Krane Kar	1,300 00	
		<u>21,300 00</u>

Extraordinary Expenditures:

Repairs to Englewood boat basin ..	17,000 00	
		<u>\$197,028 00</u>

K 4. STATE CRIPPLED CHILDREN'S COMMISSION

Crippled
children's
commission.Carrying out the provisions of chapter
188, laws of 1926, and supplements.

Salaries:

Director	\$5,500 00	
Other clerical services	9,420 00	
		<u>\$14,920 00</u>

Materials and Supplies:

Stationery and office		
supplies	\$500 00	
Hospitalization,		
braces, et		
cetera	35,000 00	
		<u>35,500 00</u>

Services Other Than Personal:

Traveling expenses	750 00	
		<u>\$51,170 00</u>

K 5. NEW JERSEY ARCHIVES

Salaries	\$1,650 00	New Jersey Archives.
Materials and Supplies:		
Printing and binding New Jersey Archives	3,050 00	
	<u>\$4,700 00</u>	

K 6. COMMISSION ON URBAN COLORED POPULATION

Salaries:		Urban colored population.
Officers and employees	\$21,540 00	
Materials and Supplies:		
Stationery and office supplies	\$400 00	
Educational, recreational and library supplies	200 00	
Printing, binding, photographing and blueprinting	350 00	
	<u>950 00</u>	
Services Other Than Personal:		
Traveling expenses ..	\$2,500 00	
Rent of equipment ...	66 00	
Household expenses ..	75 00	
Educational expenses	1,000 00	
	<u>3,641 00</u>	
Current Repairs and Maintenance:		
Office furniture, machines and equipment	110 00	
	<u>\$26,241 00</u>	

K 7. REHABILITATION COMMISSION

Rehabilitation
commission.

Salaries:

Physicians, assistants and other employees	\$3,480 00
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Materials and Supplies:

Heat, light, power, water, gas and elec- tricity	\$200 00	
Artificial appliances	11,430 00	
Tuition and vocational supplies	95,100 00	
Creative workshop supplies and equip- ment	5,000 00	
		111,730 00

Services Other Than Personal:

Household expenses ..	\$200 00	
Hospitalization	5,100 00	
Medical examinations ..	15,170 00	
Medical treatments ..	20,325 00	
		40,795 00

Current repairs and maintenance	100 00
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Unclassified Expenditures:

Compensation award to Estate of Lila S. Myers	311 84
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\$156,416 84

K 8. STATE AID TO COUNTIES

Such sum required to carry out the provisions of chapter 166, laws of 1945, estimated to be	\$86,000 00	State aid to counties.
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K 10. OLD BARRACKS ASSOCIATION

For maintenance and administration of the Old Barracks, Trenton, as an historical landmark and repository.	Old Barracks Association.
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Salaries:

Officers and employees	\$4,560 00	
Salary increases for employees not included in civil service increase program	1,620 00	
		\$6,180 00

Materials and Supplies:

Heat, light, power and water	\$106 96	
Household supplies ..	30 00	
Stationery and office supplies	43 04	
		180 00

Services Other Than Personal:

Telephone and telegraph	130 00
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Current Repairs and Maintenance:

Buildings and grounds	500 00
	\$6,990 00

K 12. CORPORATION TAX COMMISSION

Corporation tax commission.	Expenses of the Commission pursuant to Joint Resolution No. 2, provided such resolution becomes a law	\$10,000 00
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L. SPECIAL FUNDS

L 1. STATE EMERGENCY FUND

Emergency fund.	For the Commissioner of Taxation and Finance to meet any condition of emergency until legislation appropriate therefor shall be en-	
Proviso.	acted; <i>provided, how-</i> <i>ever</i> , that all disburse- ments therefrom shall be made only upon the written authorization of the Governor.	\$25,000 00
	For the Commissioner of Taxation and Finance to pay compensation awards allowed State employees upon the written authorization of the Governor	25,000 00
		\$50,000 00

L 3. SALARY ADJUSTMENTS, INCREMENTS,
AND WAR ADJUSTMENTS

It is recommended that all balances remaining in this account as of June 30, 1947, be reappropriated for the fiscal year 1947-48 to meet costs of reclassification which may arise, but for which funds have not been appropriated, and to continue limited war adjustment payments to those employees receiving such adjustments during the fiscal year 1946-47 and who received no equal increments during the fiscal year 1946-47.

Salary
adjustments.

L 4. DEBT SERVICE

Estimated interest requirement on
sale of veterans' housing bonds ... \$150,000 00

Debt service.

X. INSTITUTIONS AND AGENCIES

X 1. DEPARTMENT OF INSTITUTIONS AND AGENCIES

Salaries:

Commissioner	\$15,000 00	
Director of adminis- tration and accounts —deputy commis- sioners (4)	33,500 00	
Other officers and em- ployees	257,320 00	
		\$305,820 00

Institutions
and Agencies:

Materials and Supplies:

Stationery and office supplies	\$3,500 00	
Motor vehicular transportation supplies..	2,600 00	
		6,100 00

Services Other Than Personal:

Traveling expenses...	\$3,000 00	
Rents—garage	1,150 00	
Miscellaneous expenses	340 00	
Advertising	150 00	
Deporting aliens and nonresidents	2,000 00	
Subscriptions	735 00	
		7,375 00

Current Repairs and Maintenance:

Automotive equipment		1,400 00
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*Central Parole Bureau*Central parole
bureau;

Salaries:

Assistant director, parole and domestic relations	\$213,528 00	
Special services	1,000 00	
		214,528 00

Materials and Supplies:

Stationery and office supplies	\$1,500 00	
Motor vehicular transportation supplies..	4,000 00	
Training school supplies	2,000 00	
		7,500 00

Services Other Than Personal:

Traveling expenses ..	\$7,000 00	
Rents—Garage	1,200 00	
Miscellaneous ex-		
penses	825 00	
Subscriptions	15 00	
		9,040 00

Current Repairs and Maintenance:

Automotive equipment	1,300 00
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Additions and Improvements:

New automobiles (5 at \$1,000.00) ..	5,000 00
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Division of Old Age Assistance

Salaries:

Director	\$6,250 00	
Other officers and em-		
ployees	46,320 00	
		52,570 00

Old age
assistance;

Materials and Supplies:

Stationery and office		
supplies and equip-		
ment	\$1,410 00	
Motor vehicular trans-		
portation supplies ..	850 00	
		2,260 00

Industrial Supervision

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.

Industrial
supervision;

New Jersey State Library

\$200,000.00 or so much thereof as may be necessary of the balances in the "State Use Revolving Fund," are hereby appropriated to provide for deficiencies in the Food Accounts of the various State institutions, should such deficiencies arise.

Division of Architecture, Construction and Maintenance

Architecture,
construction
and
maintenance.

Salaries:

Other employees 69,360 00

Materials and Supplies:

Motor vehicular transportation supplies..	\$1,200 00	
Stationery and office supplies	600 00	
Photographing, photostating and blue-printing supplies ..	500 00	
		2,300 00

Services Other Than Personal:

Traveling expenses ..	\$1,500 00	
Garage rent	240 00	
Miscellaneous expenses	360 00	
		2,100 00

Current Repairs and Maintenance:

Automotive equipment	600 00
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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.

\$687,253 00

2-X 1-N. INSTITUTIONS CONSTRUCTION FUND

Fireproofing and Reconstruction of
Housing Units for Patients and
Inmates:

Construction
fund.

Establishment of a Diagnostic Cen-
ter:

Central Clinic Building	} \$250,000 00 .
Utilities, heat, light, power, water, sewerage disposal	
Three small separated ward build- ings at \$30,000.00	
One strong building	
Equipment	

The unexpended balances for institu-
tion construction as of June 30,
1947, in this account are hereby re-
appropriated.

X 2. COLONY FOR FEEBLE-MINDED MALES,
NEW LISBON

For salaries and wages, and for
maintenance of the Colony for
Feeble-Minded Males, on the basis
of eight hundred fifty inmates.

New Lisbon
colony.

Salaries and Wages:

Superintendent	\$6,000 00	
Other officers and em- ployees	292,963 69	
Special services	2,400 00	
		\$301,363 69

Materials and Supplies:

Food	\$60,000 00
Clothing	15,900 00
Heat, light, power, water, gas and elec- tricity	40,000 00
Household supplies ..	14,850 00

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Farm, stable and grounds supplies...	29,700 00	
Industrial and vocational supplies	1,800 00	
Drugs, medical, surgical and chemical supplies	3,500 00	
Motor vehicular transportation supplies..	1,900 00	
Stationery and office supplies	600 00	
Educational, recreational and library supplies	900 00	
Other materials and supplies (tobacco)..	1,620 00	
		170,770 00
Services Other Than Personal:		
Traveling expenses ..	\$500 00	
Telephone and telegraph	2,100 00	
Entertainment expenses	650 00	
Funeral expenses	200 00	
Freight, express and cartage	300 00	
Subscriptions	130 00	
		3,880 00
Current Repairs and Maintenance:		
Automotive equipment	\$600 00	
Buildings and grounds	9,350 00	
		9,950 00
Additions and Improvements:		
Additional fire protection equipment		1,000 00
Unclassified Expenditures:		
Compensation awards		479 29
		<u>\$487,442 98</u>

The unexpended balances as of June 30, 1947, in the appropriation for new buildings are hereby reappropriated.

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

For salaries and wages, and for maintenance of the Colony for Feeble-Minded Males, Woodbine, on the basis of nine hundred fifty inmates.

Woodbine
colony.

Salaries and Wages:

Superintendent	\$6,000 00	
Attendants, nurses and other employees ...	343,648 00	
Special services	1,000 00	
		\$350,648 00

Materials and Supplies:

Food	\$85,000 00
Clothing	12,000 00
Heat, light, power, water, gas and elec- tricity	35,000 00
Household supplies ..	12,000 00
Farm, stable and grounds supplies ..	5,500 00
Drugs, medical, surgi- cal and chemical supplies	3,500 00

Stationery and office supplies	600 00	
Motor vehicular transportation supplies..	1,000 00	
Educational, recreational and library supplies	1,200 00	
Other materials and supplies (tobacco) ..	500 00	
		156,300 00
Services Other Than Personal:		
Telephone and telegraph	\$1,200 00	
Traveling expenses ..	1,000 00	
Funeral expenses	300 00	
Freight and express..	150 00	
Advertising	25 00	
Miscellaneous expenses	15 00	
Subscriptions and membership fees ...	65 00	
Entertainment expenses	150 00	
		2,905 00
Current Repairs and Maintenance:		
Automotive equipment	\$850 00	
Recreational equipment	10 00	
Buildings and grounds	8,800 00	
		9,660 00
Additions and Improvements:		
Portable fluoroscope..	\$600 00	
Fire fighting equipment	500 00	
		1,100 00
		\$520,613 00

The unexpended balances as of June 30, 1947, in the appropriation for new buildings are hereby reappropriated.

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:

Commission
for the blind.

Secretary and executive officer	\$6,750 00	
Teachers of occupational subjects and other employees ...	88,330 00	
Special services	920 00	
		\$96,000 00

Materials and Supplies:

Extension of home industries	\$1,500 00	
Motor vehicular transportation supplies..	500 00	
Stationery and office supplies	1,400 00	
		3,400 00

Services Other Than Personal:

Traveling expenses ..	\$7,500 00	
Rents (garage)	252 00	
Rent of equipment ...	64 80	
Support and instruction of blind persons	55,000 00	
Higher education of the blind	5,000 00	
Expressage	1,100 00	
Subscriptions	85 00	
Entertainment for the blind	300 00	
Prevention of blindness	1,500 00	
State relief for the blind	250 00	
		71,051 80

Current Repairs and Maintenance:

Automotive equipment	\$300 00	
Office furniture, machines and equipment	175 00	
		475 00

Unclassified:

Maintenance of summer camp	\$4,000 00	
Payments to be made to counties in accordance with provisions of chapter 348, laws of 1941	8,500 00	
		12,500 00

The balance to the credit of the outdoor relief or aid to the blind—Revolving Fund—on the thirtieth day of June, one thousand nine hundred and forty-seven, 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-seven, is hereby reappropriated as a Revolving Industrial Fund, in the sum of \$2,000.00.

\$183,426 80

X 5. COUNTY INSANE HOSPITALS

For the support of patients pursuant to R. S. 30:4-78, in County Insane Hospitals:

County
hospitals for
the insane.

Atlantic	\$61,000 00
Burlington	60,000 00
Camden	144,000 00
Cumberland	45,000 00
Essex	710,000 00
Hudson	380,000 00
	\$1,400,000 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 fol-
lowing county hospitals:

Atlantic	\$17,500 00	
Bergen	55,000 00	
Burlington	18,000 00	
Camden	42,000 00	
Cape May	3,000 00	
Cumberland	5,900 00	
Essex	105,000 00	
Gloucester	7,000 00	
Hudson	125,000 00	
Hunterdon	3,000 00	
Mercer	30,000 00	
Middlesex	55,000 00	
Monmouth	25,000 00	
Morris	18,000 00	
Ocean	5,500 00	
Passaic	70,000 00	
Salem	3,500 00	
Somerset	8,000 00	
Sussex	2,500 00	
Union	80,000 00	
Warren	3,250 00	
		<u>\$682,150 00</u>

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 \$200,000 00

X 8. HOME FOR DISABLED SOLDIERS, MENLO PARK

For salaries and wages, and for maintenance of the Home for Disabled Soldiers, Menlo Park, on the basis of eighty veterans.

Soldiers' home,
Menlo Park.

Salaries and Wages:

Superintendent	\$6,620 00	
Other officers and employees	51,799 00	
Special services	150 00	
		\$58,569 00

Materials and Supplies:

Food	\$14,300 00	
Clothing	1,200 00	
Heat, light, power, water, gas and electricity	4,900 00	
Household supplies ..	1,100 00	
Ground supplies	600 00	
Stationery and office supplies	200 00	
Drugs, medical, surgical and chemical supplies	1,320 00	
Motor vehicular transportation supplies..	410 00	
Laundry supplies	1,000 00	
Other materials and supplies	100 00	
		25,130 00

Services Other Than Personal:

Traveling expenses ..	\$200 00	
Telephone and telegraph	400 00	
Funeral expenses	150 00	
Entertainment expenses	175 00	
Freight and express..	25 00	
		950 00

Current Repairs and Maintenance:

Automotive equipment	\$290 00	
Buildings and grounds	1,000 00	
		<u>1,290 00</u>
		<u><u>\$85,939 00</u></u>

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 one hundred twenty members.

Salaries and Wages:

Superintendent	\$5,740 00	
Other officers and employees	90,676 00	
Medical and surgical fees	1,200 00	
		<u>\$97,616 00</u>

Materials and Supplies:

Food	\$25,000 00	
Clothing	1,500 00	
Heat, light, power, water, gas and electricity	16,000 00	
Household supplies ..	4,000 00	
Ground supplies	500 00	
Drugs, medical, surgical and chemical supplies	1,800 00	
Stationery and office supplies	450 00	
Motor vehicular transportation supplies..	400 00	
Other materials and supplies	300 00	
		<u>49,950 00</u>

Services Other Than Personal:

Traveling expenses ..	\$150 00	
Telephone and telegraph	450 00	
Entertainment expenses	500 00	
Freight and express..	25 00	
Laundry service	3,000 00	
Funeral expenses	100 00	
		4,225 00

Current Repairs and Maintenance:

Automotive equipment	\$500 00	
Buildings and grounds	6,000 00	
		6,500 00
		\$158,291 00

X 10. NORTH JERSEY TRAINING SCHOOL, TOTOWA

For salaries and wages and for maintenance of the North Jersey Training School for Females, Totowa, on the basis of seven hundred twenty-five inmates.

North Jersey
training school,
Totowa.

Salaries and Wages:

Superintendent	\$5,920 00	
Attendants, nurses and other employees ...	269,600 00	
Special services	3,980 00	
		\$279,500 00

Materials and Supplies:

Food	\$60,000 00
Clothing	13,000 00
Heat, light, power, water, gas and electricity	48,000 00
Household supplies ..	16,000 00

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Farm, stable and grounds supplies ..	27,500 00	
Industrial and vocational supplies	1,600 00	
Educational, recreational and library supplies	1,750 00	
Drugs, medical, surgical and chemical supplies	4,800 00	
Stationery and office supplies	700 00	
Motor vehicular transportation supplies..	1,625 00	
		174,975 00
Services Other Than Personal:		
Traveling expenses ..	\$400 00	
Telephone and telegraph	1,600 00	
Entertainment expenses	300 00	
Funeral expenses	150 00	
Freight, express and cartage	70 00	
Miscellaneous expenses	30 00	
		2,550 00
Current Repairs and Maintenance:		
Automotive equipment	\$500 00	
Buildings and grounds	9,500 00	
Office furniture, machines and equipment	190 00	
		10,190 00
		\$467,215 00

The unexpended balances as of June 30, 1947, in the appropriation for new buildings are hereby reappropriated.

X 11. REFORMATORY, ANNANDALE

For salaries and wages and for maintenance of the Reformatory at Annandale, on the basis of five hundred fifty inmates.

Reformatory
Annandale.

Salaries and Wages:

Superintendent	\$6,500 00	
Special services	3,340 00	
Other officers and employees	304,556 87	
		\$314,396 87

Materials and Supplies:

Food	\$30,800 00	
Clothing	14,300 00	
Heat, light, power, water, gas and electricity	32,000 00	
Farm, stable and grounds supplies ..	25,600 00	
Household supplies ..	7,250 00	
Drugs, medical, surgical and chemical supplies	1,540 00	
Motor vehicular transportation supplies..	2,075 00	
Stationery and office supplies	700 00	
Educational, recreational and library supplies	2,450 00	
Other materials and supplies (including protective equipment)	750 00	
Photographing, blue-printing and drafting supplies	100 00	
		117,565 00

Services Other Than Personal:

Traveling expenses ..	\$400 00	
Telephone and telegraph	1,200 00	
Freight and express..	200 00	
Entertainment expenses	500 00	
Funeral expenses	60 00	
Payments to discharged inmates and recapturing escapes	2,300 00	
Laundry service	2,250 00	
		6,910 00

Current Repairs and Maintenance:

Automotive equipment	\$475 00	
Buildings and grounds	6,050 00	
		6,525 00
		\$445,396 87

X 12. REFORMATORY, RAHWAY

Reformatory,
Rahway.

For salaries and wages and for maintenance of the Reformatory at Rahway on the basis of eight hundred inmates.

Salaries and Wages:

Superintendent	\$6,500 00	
Other officers and employees	395,137 84	
Inmates' wages	10,000 00	
Special services	3,690 00	
		\$415,327 84

Materials and Supplies:

Food	\$77,000 00	
Clothing	19,800 00	
Heat, light, power, water, gas and elec- tricity	52,500 00	
Household supplies ..	11,550 00	
Farm, stable and grounds supplies...	21,000 00	
Industrial and voca- tional supplies	600 00	
Educational, recrea- tional and library supplies	1,000 00	
Photographing, blue- printing and draft- ing supplies	200 00	
Drugs, medical, surgi- cal and chemical supplies	1,400 00	
Stationery and office supplies	1,200 00	
Replacements of motor vehicles	2,500 00	
Motor vehicular trans- portation supplies..	940 00	
		189,690 00

Services Other Than Personal:

Traveling expenses ..	\$500 00	
Telephone and tele- graph	1,300 00	
Freight and express..	50 00	
Payments to dis- charged inmates and recapturing escapes	100 00	
Funeral expenses	150 00	
		2,100 00

Current Repairs and Maintenance:

Automotive equipment	\$560 00	
Buildings and grounds	20,000 00	
		20,560 00

Additions and Improvements:

Pasteurizer milk cooling unit	2,000 00	
		\$629,677 84

X 13. REFORMATORY FOR WOMEN, CLINTON

Reformatory,
Clinton.

For salaries and wages, and for maintenance of the Reformatory for Women, Clinton, on the basis of four hundred seventy-five inmates.

Salaries and Wages:

Superintendent	\$5,720 00	
Other officers and employees	184,790 00	
Special services	4,700 00	
		\$195,210 00

Materials and Supplies:

Food	\$32,000 00	
Clothing	9,900 00	
Heat, light, power, water, gas and electricity	25,000 00	
Household supplies	9,500 00	
Farm, stable and ground supplies	15,000 00	
Drugs, medical, surgical and chemical supplies	3,600 00	
Stationery and office supplies	750 00	

Educational, recreational and library supplies	900 00	
Motor vehicular transportation supplies	900 00	
Replacement of boiler (Stowe Cottage) ..	2,500 00	
Replacement of refrigerators	900 00	
Cannery supplies	1,800 00	
		102,750 00

Services Other Than Personal:

Traveling expenses ..	\$425 00	
Telephone and telegraph	750 00	
Freight and express ..	100 00	
Entertainment expenses	600 00	
Funeral expenses	100 00	
Payments to discharged inmates and recapturing escapes	1,600 00	
		3,575 00

Current Repairs and Maintenance:

Automotive equipment	\$200 00	
Buildings and grounds	6,000 00	
		6,200 00
		\$307,735 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 three hundred fifty patients.

Salaries and Wages:

Superintendent	\$9,000 00	
Physicians, clerks, nurses, farm help, teachers and other employees	455,496 08	
Special services	1,700 00	
Clinic salaries	17,410 00	
		\$483,606 08

Materials and Supplies:

Food	\$130,000 00	
Clothing	500 00	
Heat, light, power, water, gas and elec- tricity	50,000 00	
Household supplies ..	19,200 00	
Farm, stable and ground supplies ...	2,500 00	
Drugs, medical, surgi- cal and chemical supplies	12,500 00	
Stationery and office supplies	1,500 00	
Educational, recrea- tional and library supplies	600 00	
Motor vehicular transportation sup- plies	1,600 00	
Clinic supplies	175 00	
Replacement of sewer	815 00	
		219,390 00

Services Other Than Personal:

Traveling expenses ..	\$500 00	
Telephone and telegraph	3,000 00	
Freight and express ..	250 00	
Entertainment expenses	250 00	
Funeral expenses	200 00	
Miscellaneous expenses	50 00	
Clinic expenses	3,295 00	
		7,545 00

Current Repairs and Maintenance:

Automotive equipment	\$1,000 00	
Buildings and grounds	16,000 00	
		17,000 00

Additions and Improvements:

Vertical fluoroscope ..	\$825 00	
Tables for dishwashing machine (children's building) ...	600 00	
Fire protection	500 00	
New concrete coping on roof of surgery	700 00	
Electric cable from power house to administration building transformers ..	7,400 00	
		10,025 00

Unclassified:

Compensation award, Joan Lennon	1,040 00	
		\$738,606 08

X 15. STATE BOARD OF CHILDREN'S GUARDIANS

Board of
children's
guardians.

Salaries:

Executive director ..	\$8,500 00	
Compensation for other assistants ..	638,274 00	
		\$646,774 00

Materials and Supplies:

Stationery and office supplies	\$7,000 00	
Replacements of mo- tor vehicles	10,000 00	
Motor vehicular transportation sup- plies	10,000 00	
Educational, recrea- tional and library supplies	100 00	
		27,100 00

Services Other Than Personal:

Traveling expenses ..	\$6,000 00	
Telephone and tele- graph for district offices	6,000 00	
Garage rents	6,550 00	
Advertising for foster homes	50 00	
Rent of equipment ..	960 00	
Miscellaneous ex- penses	150 00	
Subscriptions a n d memberships	100 00	
District office expenses	200 00	
Social service ex- changes	750 00	
		20,760 00

Current Repairs and Maintenance:

Automotive equipment	\$7,000 00	
Office furniture, machines and equipment	3,000 00	
		10,000 00

Unclassified Expenditures:

Compensation awards	682 76
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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.

\$705,316 76

X 16. STATE HOME FOR BOYS

For salaries and wages and for maintenance of the State Home for Boys, on the basis of five hundred twenty-five inmates.

State Home
for Boys,
Jamesburg.

Salaries and Wages:

Superintendent	\$6,000 00	
Other officers and employees	334,192 64	
Special services	3,300 00	
		\$343,492 64

Materials and Supplies:		
Food	\$40,700 00	
Clothing	19,800 00	
Heat, light, power, water, gas and elec- tricity	46,000 00	
Household supplies ..	11,000 00	
Farm, stable and ground supplies ...	23,000 00	
Industrial and voca- tional supplies ..	3,000 00	
Educational, recrea- tional and library supplies	3,000 00	
Drugs, medical, surgi- cal and chemical supplies	2,900 00	
Stationery and office supplies	1,000 00	
Replacement of re- frigeration equip- ment	6,000 00	
Replacement of dental X-ray equipment and cabinets	800 00	
Motor vehicular transportation sup- plies	1,650 00	
		158,850 00
Services Other Than Personal:		
Traveling expenses ..	\$550 00	
Telephone and tele- graph	1,450 00	
Entertainment ex- penses	300 00	
Funeral expenses	50 00	
Freight and express	150 00	
		2,500 00

Current Repairs and Maintenance:

Automotive equip- ment	\$500 00	
Buildings and grounds	12,000 00	
		<u>12,500 00</u>

Unclassified Expenditures:

Compensation awards	1,655 72	
		<u>\$518,998 36</u>

X 17. STATE 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.

State Home
for Girls,
Trenton.

Salaries and Wages:

Superintendent	\$5,720 00	
Other employees	191,580 00	
Special services	3,320 00	
		<u>\$200,620 00</u>

Materials and Supplies:

Food	\$35,000 00	
Clothing	8,000 00	
Heat, light, power, water, gas and elec- tricity	5,200 00	
Household supplies ..	9,000 00	
Farm, stable and grounds supplies ..	6,000 00	
Educational, recrea- tional and library supplies	2,000 00	
Stationery and office supplies	700 00	

CHAPTER 67, LAWS OF 1947

Drugs, medical, surgical and chemical supplies	1,300 00	
Motor vehicular transportation supplies	300 00	
		67,500 00
Services Other Than Personal:		
Traveling expenses ..	\$300 00	
Telephone and telegraph	1,250 00	
Subscriptions	150 00	
Freight and express..	100 00	
Entertainment expenses	325 00	
Payments to discharged inmates ...	200 00	
Funeral expenses	100 00	
Fire alarm and time services	125 00	
		2,550 00
Current Repairs and Maintenance:		
Automotive equipment	\$290 00	
Buildings and grounds	5,500 00	
		5,790 00
Additions and Improvements:		
Relief officer's living quarters	3,000 00	
		\$279,460 00

X 18. STATE HOSPITAL, GREYSTONE PARK

For salaries and wages, and for maintenance of the State Hospital, Greystone Park, on the basis of six thousand inmates.

State Hospital,
Greystone
Park.

Salaries and Wages:

Medical superintendent and chief executive	\$9,000 00
Business manager ...	6,000 00
Other officers and employees	2,485,360 40
Services	4,400 00
Clinic salaries	62,644 00
	\$2,567,404 40

Materials and Supplies:

Food	\$645,000 00
Clothing	82,500 00
Heat, light, power, water, gas and electricity	197,000 00
Household supplies ..	110,000 00
Farm, stable and grounds supplies ..	95,000 00
Replacement fire hose and equipment	1,000 00
Industrial and vocational supplies	5,000 00
Replacement of household equipment (employees)	2,500 00
Drugs, medical, surgical and chemical supplies	39,600 00
Stationery and office supplies	2,500 00

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Motor vehicular transportation sup- plies	5,000 00	
Replacements of mo- tor vehicles	10,000 00	
Replacement of din- ing room chairs and tables	3,000 00	
Clinic supplies	4,000 00	
Tobacco	6,500 00	
Educational, recrea- tional and library supplies	500 00	
Containers for food carts (replac- ements)	2,900 00	
Supplies for nursing school	500 00	
Replacement dormi- tory roof (partial)	10,000 00	
		1,222,500 00
Services Other Than Personal:		
Traveling expenses ..	\$2,000 00	
Telephone and tele- graph	8,200 00	
Freight and express ..	1,500 00	
Funeral expenses	4,500 00	
Subscriptions medical library	200 00	
Miscellaneous ex- penses	800 00	
Clinic expenses	2,000 00	
		19,200 00
Current Repairs and Maintenance:		
Automotive equipment	\$3,200 00	
Buildings and grounds	60,500 00	
		63,700 00

Additions and Improvements:

Fireproofing engine room	\$2,500 00	
Improvement to water supply	7,500 00	
Fireproofing patients' quarters	150,000 00	
		160,000 00

Unclassified Expenditures:

Compensation awards	5,000 00	
		\$4,037,804 40

X 19. STATE HOSPITAL, MARLBORO

For salaries and wages, and for maintenance of the State Hospital, Marlboro, on the basis of three thousand inmates.

State Hospital,
Marlboro.

Salaries and Wages:

Medical superintendent and chief executive	\$8,500 00	
Other officers and employees, and medical fees	1,299,546 00	
Special services	2,500 00	
Clinic salaries	28,192 00	
		\$1,338,738 00

Materials and Supplies:

Food	\$285,000 00	
Clothing	38,000 00	
Heat, light, power, water, gas and electricity	120,000 00	
Farm, stable and grounds supplies ..	44,000 00	
Household supplies ..	49,000 00	
Drugs, medical, surgical and chemical supplies	27,000 00	

Industrial and vocational supplies	2,400 00	
Educational, recreational and library supplies	2,000 00	
Replacement of food trucks (2)	900 00	
Stationery and office supplies	2,700 00	
Replacement of boiler tubes	4,000 00	
Motor vehicular transportation supplies..	3,200 00	
Replacements of motor vehicles	6,000 00	
Clinic supplies.....	550 00	
Replacement of steam traps (5 buildings male group)	2,100 00	
Other materials and supplies (tobacco)..	3,000 00	
		589,850 00
Services Other Than Personal:		
Traveling expenses ..	\$800 00	
Telephone and telegraph	3,700 00	
Funeral expenses	550 00	
Freight and express..	400 00	
Advertising	100 00	
Miscellaneous expenses	125 00	
Clinic expenses	450 00	
		6,125 00
Current Repairs and Maintenance:		
Automotive equipment	\$1,400 00	
Buildings and grounds	38,500 00	
Office furniture, machines and equipment	375 00	
		40,275 00

Additions and Improvements:

Milk house renovation and refrigeration ..	\$8,000 00	
Fencing for patients recreation area	3,000 00	
Refrigeration, main kitchen	6,000 00	
		17,000 00

Unclassified Expenditures:

Compensation award—Charles B. Lanning	1,040 00	
		\$1,993,028 00

1-X-19. THE ARTHUR BRISBANE CHILD TREATMENT
CENTER

Salaries:

Officers and employees	\$37,112 00		Child treatment center.
Special services	500 00		
		\$37,612 00	

Materials and Supplies:

Food	\$13,140 00	
Clothing	1,200 00	
Heat, light, power, water, gas and elec- tricity	5,500 00	
Household and organ- ization supplies	2,000 00	
Ground supplies	100 00	
Motor vehicular trans- portation supplies..	250 00	
Drugs, medical, surgi- cal and chemical supplies	1,000 00	
Stationery and office supplies	150 00	
		23,340 00

Services Other Than Personal:

Traveling expenses ..	\$150 00	
Telephone and telegraph	400 00	
Miscellaneous expenses	75 00	
Freight, express and cartage	25 00	
Household expenses..	750 00	
Entertainment expenses	175 00	
Funeral expenses	150 00	
		1,725 00

Current Repairs and Maintenance:

Buildings and grounds	\$1,000 00	
Automotive equipment	100 00	
		1,100 00
		\$63,777 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 five hundred inmates.

Salaries and Wages:

Medical director	\$8,500 00	
Other officers and employees	1,828,663 00	
Special services	1,900 00	
Clinic salaries	43,335 00	
		\$1,882,398 00

Materials and Supplies:

Food	\$340,000 00	
Clothing	41,800 00	
Heat, light, power, water, gas and elec- tricity	140,000 00	
Household supplies ..	60,500 00	
Farm, stable and grounds supplies ..	60,000 00	
Drugs, medical, surgi- cal and chemical supplies	37,000 00	
Stationery and office supplies	3,200 00	
Motor vehicular trans- portation supplies..	1,900 00	
Industrial and voca- tional supplies	5,000 00	
Tobacco for working male patients	4,000 00	
Candy for working fe- male patients	1,000 00	
Clinic supplies	2,050 00	
Replacement electro therapy equipment.	3,000 00	
Replacement house- hold plastic or china	2,500 00	
Replacement dining room tables and chairs	4,000 00	
Replacement automo- tive equipment	5,000 00	
		710,950 00

Services Other Than Personal:

Traveling expenses ..	\$1,800 00
Telephone and tele- graph	4,400 00
Entertainment ex- penses	750 00
Funeral expenses	1,000 00

Subscriptions, news-		
papers and maga-		
zines	400 00	
Freight and express..	150 00	
Advertising	150 00	
Cemetery maintenance	500 00	
Miscellaneous ex-		
penses	50 00	
Clinic expenses	550 00	
		9,750 00

Current Repairs and Maintenance:		
Automotive equipment	\$1,600 00	
Buildings and grounds	38,500 00	
		40,100 00

Additions and Improvements:		
Fireproofing Annex		
Building—Wards 4		
to 12, inclusive	\$150,000 00	
Fire escapes at bakery	500 00	
Fireproofing — metal		
doors in fire stair		
wells—Annex Build-		
ing	6,000 00	
		156,500 00

Unclassified:		
Compensation award—		
Anna Bakley	\$564 20	
Compensation award—		
Donald Burd	1,040 00	
		1,604 20
		\$2,801,302 20

1-X-20. STATE HOSPITAL, TRENTON (COLONY)

For salaries and expenses in connection with Account 1-X-20, State Hospital, Trenton (Colony)	\$150,000 00	State Hospital, Trenton colony.
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X 21. STATE PRISON

For salaries and wages, and for maintenance of the State Prison on the basis of one thousand one hundred fifty inmates.	State Prison.
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Salaries and Wages:

Principal keeper	\$7,550 00	
Other officers and employees	498,670 00	
Inmates wages (other than State use)	15,000 00	
Special services	3,980 00	
		\$525,200 00

Materials and Supplies:

Food	\$104,500 00
Clothing	27,000 00
Heat, light, power, water, gas and electricity	53,350 00
Household supplies ..	14,850 00
Ground supplies	100 00
Drugs, medical, surgical and chemical supplies	5,000 00
Stationery and office supplies	1,700 00
Educational, recreational and library supplies	1,850 00

Motor vehicular transportation supplies..	960 00	
Industrial and vocational supplies	150 00	
Photographing, blue-printing and drafting supplies	600 00	
Other materials and supplies (tobacco) ..	900 00	
Padlocks and key replacement in wings.	2,500 00	
Protective equipment replacement	1,000 00	
		214,460 00
Services Other Than Personal:		
Traveling expenses...	\$1,300 00	
Telephone and telegraph	2,300 00	
Electrocution plant ..	800 00	
Payments to discharged inmates ...	800 00	
Funeral expenses	150 00	
Miscellaneous expenses	230 00	
Fire alarm service ...	170 00	
		5,750 00
Current Repairs and Maintenance:		
Automotive equipment	\$500 00	
Buildings and grounds	13,200 00	
		13,700 00
		\$759,110 00

X 22. STATE PRISON FARM, BORDENTOWN

For salaries and wages, and for maintenance of the State Prison Farm, Bordentown, on the basis of six hundred inmates.

Prison farm,
Bordentown.

Salaries and Wages:

Superintendent	\$6,000 00	
Custodial officers and other employees ...	231,200 00	
Special services	2,000 00	
Inmates' wages	7,500 00	
		\$246,700 00

Materials and Supplies:

Food	\$54,000 00	
Clothing	14,500 00	
Heat, light, power, water, gas and elec- tricity	38,500 00	
Household supplies ..	6,500 00	
Farm, stable and grounds supplies...	24,000 00	
Motor vehicular trans- portation supplies..	850 00	
Stationery and office supplies	600 00	
Educational, recrea- tional and library supplies	500 00	
Tobacco and other ma- terials and supplies	150 00	
		139,600 00

Services Other Than Personal:

Telephone and tele- graph	\$800 00	
Miscellaneous ex- penses	50 00	
		850 00

Current Repairs and Maintenance:

Automotive equipment	\$500 00	
Office furniture, machines and equipment	50 00	
Buildings and grounds	6,250 00	
		<u>6,800 00</u>

Additions and Improvements:

Sanitary manhole and catch basin (dairy).	\$500 00	
Pasteurizer	1,800 00	
		<u>2,300 00</u>
		<u>\$396,250 00</u>

X 23. STATE PRISON FARM, LEESBURG

Prison farm,
Leesburg.

For salaries and wages, and for maintenance of the State Prison Farm, Leesburg, on the basis of two hundred fifty inmates.

Salaries and Wages:

Superintendent	\$5,208 00	
Other officers and employees	83,700 00	
Inmates' wages	3,000 00	
Medical and surgical fees	1,050 00	
		<u>\$92,958 00</u>

Materials and Supplies:

Food	\$17,000 00
Clothing	7,700 00
Heat, light, power, water, gas and electricity	12,000 00
Household supplies ..	5,000 00

Farm, stable and grounds supplies ..	4,500 00	
Drugs, medical, surgi- cal and chemical supplies	300 00	
Stationery and office supplies	450 00	
Educational, recrea- tional and library supplies	400 00	
Motor vehicular transportation sup- plies	200 00	
		47,550 00
Services Other Than Personal:		
Traveling expenses ..	\$150 00	
Telephone and tele- graph	700 00	
Freight, express and cartage	60 00	
Entertainment ex- penses	30 00	
Miscellaneous ex- penses	10 00	
		950 00
Current Repairs and Maintenance:		
Automotive equip- ment	\$200 00	
Buildings and grounds	3,000 00	
		3,200 00
		\$144,658 00

X 24. VILLAGE FOR EPILEPTICS

Village for
epileptics.

For salaries and wages, and for main-
tenance of the Village for Epileptics
on the basis of one thousand six
hundred inmates.

Salaries and Wages:

Superintendent	\$9,000' 00	
Other officers and em- ployees	649,210 68	
Special services	2,000 00	
		660,210 68

Materials and Supplies:

Food	\$139,700 00
Clothing	14,000 00
Heat, light, power, water, gas and elec- tricity	75,000 00
Household supplies ..	33,000 00
Farm, stable and grounds supplies ..	45,000 00
Drugs, medical, surgi- cal and chemical supplies	12,000 00
Stationery and office supplies	800 00
Industrial and voca- tional supplies	700 00
Educational, recrea- tional and library supplies	800 00
Motor vehicular transportation sup- plies	2,100 00
Replacements of mo- tor vehicles	2,400 00
Tobacco	1,500 00
Replacement X-ray machine	3,000 00

Replacement occupational therapy equipment	2,000 00	
Replacement refrigerators	1,000 00	
		333,000 00
Services Other Than Personal:		
Traveling expenses ..	\$1,300 00	
Telephone and telegraph	1,500 00	
Freight and express	150 00	
Entertainment expenses	500 00	
Funeral expenses	300 00	
Miscellaneous expenses	100 00	
		3,850 00
Current Repairs and Maintenance:		
Automotive equipment	\$900 00	
Buildings and grounds	20,000 00	
		20,900 00
Additions and Improvements:		
Installation of new telephone system	\$2,000 00	
New pasteurizer	2,000 00	
		4,000 00
Unclassified Expenditures:		
Compensation awards	290 71	
	<u><u>\$1,022,251 39</u></u>	

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 nine hundred inmates.

Salaries and Wages:

Superintendent.....	\$8,500 00	
Physicians, executive assistants, clerks, mechanics and others	466,948 96	
Special services	3,000 00	
		\$478,448 96

Materials and Supplies:

Food	\$138,000 00
Clothing	25,000 00
Heat, light, power, water, gas and electricity	55,000 00
Household supplies ..	24,000 00
Farm, stable and grounds supplies ..	40,000 00
Industrial and vocational supplies	1,400 00
Drugs, medical, surgical and chemical supplies	5,500 00
Stationery and office supplies	900 00
Motor vehicular transportation supplies	1,000 00
Educational, recreational and library supplies	1,600 00
Other materials and supplies	60 00

Replacement of two trucks	1,800 00	
		294,260 00
Services Other Than Personal:		
Traveling expenses ..	\$1,500 00	
Telephone and telegraph (includes colony)	1,800 00	
Entertainment expenses	1,000 00	
Funeral expenses	500 00	
Advertising	90 00	
Freight and express	200 00	
		5,090 00
Current Repairs and Maintenance:		
Automotive equipment	\$500 00	
Buildings and grounds	16,500 00	
		17,000 00
Additions and Improvements:		
Purchase of automobile (social worker)		1,200 00
Unclassified Expenditures:		
Compensation award — Randolph Cobinachi	\$520 00	
Compensation award — Blanche Bendell	1,040 00	
		1,560 00
		<u>\$797,558 96</u>

The unexpended balances as of June 30, 1947, in the appropriation for new buildings are hereby reappropriated.

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.\$3,500,000 00

The balance remaining in the appropriations for reimbursement to the counties for the State Subsidy for Old Age Assistance for the fiscal year ending June 30, 1947, including State's net share of reimbursement, together with the net balance remaining, after full payment of sums due the Federal Government, of all funds recovered under 44:7-14 R. S. during the fiscal year ending June 30, 1947, or

so much thereof as may be necessary, is hereby reappropriated; in addition thereto, all such funds recovered under 44:7-14 R. S. during the fiscal year ending June 30, 1948, or so much thereof as may be necessary, are hereby appropriated.

X 27. STATE SUBSIDY FOR MAINTENANCE OF
CHILDREN UNDER THE CARE OF THE
BOARD OF CHILDREN'S GUARDIANS

For the purpose of making payments for the maintenance of children under the care of the Board of Children's Guardians pursuant to chapter 5 of Title 30 of the Revised Statutes\$2,000,000 00

Board of
children's
guardians
subsidy.

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, 1947, 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.

R. HIGHWAY

MANDATORY APPROPRIATIONS

R 1. DEBT SERVICE

Debt service.	1930 Bond Act:	
	Principal requirement	
	of highway improve-	
	ment bonds	\$980,000 00
	Interest, highway im-	
	provement bonds ..	1,126,600 00
	Principal requirement	
	of institutional con-	
	struction bonds	240,000 00
	Interest, institutional	
	construction bonds	281,825 00
	Total debt service on 1930 bond	
	act	\$2,628,425 00
	Amortization and Interest on \$70,-	
	000,000.00 Issue:	
	Annual requirement	
	for amortization ..	\$707,222 00
	Interest on roads,	
	bridges and viaducts	
	bonds	800,000 00
		1,507,222 00
	Total debt service	\$4,135,647 00

R 3. STATE AID TO COUNTIES AND MUNICIPALITIES

Construction, recon-		State aid.
struction, maintenance,		
et cetera, of		
county roads	\$8,000,000 00	
Expenditures pursuant		
to section 27:14-1 of		
the Revised Statutes,		
on basis of \$55,000.00		
per county	1,155,000 00	
Construction, grading		
and maintenance of		
municipal roads	5,719,825 00	
The total appropriation for State aid		
herein contained is for the calendar		
year 1948. This appropriation		
is due and payable on January		
2, 1948.		
Total mandatory appropriations	\$14,874,825 00	

R 5. DELAWARE RIVER JOINT TOLL BRIDGE
COMMISSION

Salaries:		
Officers and employees	\$213,080 00	Delaware river joint toll bridge.
Materials and Supplies:		
Clothing	\$3,850 00	
Heat, light, power,		
water, gas and elec-		
tricity	9,114 00	
Ground supplies	250 00	
Household and organ-		
ization supplies	25 00	
Drugs, medical, surgi-		
cal and chemical		
supplies	100 00	

Motor vehicular transportation sup- plies	2,000 00	
Stationery and office supplies	650 00	
Office Equipment Re- placement	150 00	
Printing, blueprint- ing and photostat- ing	600 00	
Engineering supplies	300 00	
Books and pamphlets	25 00	
		17,064 00
Services Other Than Personal:		
Traveling expenses ..	\$1,500 00	
Telephone and tele- graph	1,500 00	
Rents	1,644 00	
Insurance (fire)	2,798 04	
Insurance (other than fire)	2,767 91	
Freight, express and cartage	100 00	
Household expenses ..	36 00	
Advertising	500 00	
Subscriptions	25 00	
Postage	300 00	
Weighing trucks	36 00	
Miscellaneous ex- penses	50 00	
Expenses in connec- tion with inspection of rip-rap, Portland bridge	125 00	
		11,381 95
Current Repairs and Maintenance:		
Buildings and grounds	\$13,200 00	
Other equipment	1,100 00	
Painting of bridges ..	25,000 00	
		39,300 00

Additions and Improvements:

Hopper and Tremie pipes for concrete	\$200 00	
Wood scow to haul rip-rap	250 00	
Subsurface borings for a proposed bridge to replace the present Delaware- Upper Mt. Bethel bridge and the Port- land - Columbia bridge, 30 holes at \$250.00 each	7,500 00	
Field survey for the above	3,000 00	
		10,950 00

Extraordinary Expenditures:

Open grate floor, Calhoun street	}	140,000 00
Open grate floor, Lambertville		
Landscaping, Lumberville		
Open grate floor, Frenchtown		
Renew roadway, Riegelsville		

Unclassified Expenditures:

Expense of New Jersey Commission	300 00
	\$432,075 95

Less—

Pennsylvania's share.	\$198,340 47	
Rentals and miscel- laneous receipts ...	5,095 00	
Unexpended balance on June 30, 1947 ...	30,000 00	
		233,435 47

In addition to the net amounts herein appropriated, any unexpended balance on June 30, 1947, comprising all receipts from Pennsylvania, rental receipts, together with all

moneys received during 1947-48 from any source whatsoever, whether from the operation of bridges or from the State of Pennsylvania for its proportion of its maintenance of such bridges, are hereby appropriated to be used for maintenance of bridges and the payment to the State of Pennsylvania of their proportion of the rentals and miscellaneous receipts.

\$198,640 48

R 7. MOTOR VEHICLE DEPARTMENT

Motor vehicle
department.

Salaries:

Commissioner	\$12,000 00
Other officers and employees	1,996,506 80
	\$2,008,506 80

Materials and Supplies:

Heat, light, power, water, gas and electricity	\$15,500 00
Motor vehicular transportation supplies..	55,000 00
Replacements of motor vehicles	17,500 00
Stationery and office supplies	45,000 00
Office equipment replacement	3,000 00
Printing, binding, photography and blueprinting	35,000 00
Replacement and rentals of typewriters (Agents)	8,000 00

Station and central of- fice supplies	1,200 00	
Metal and material for markers	250,000 00	
Station cleanser, oil and grease	1,400 00	
Radio system supplies and maintenance ...	3,600 00	
		435,200 00

Services Other Than Personal:

Traveling expenses ..	\$3,000 00	
Rent of office appli- ances	6,300 00	
Garage rents	1,824 00	
Freight, express and cartage	2,500 00	
Subscriptions	200 00	
Miscellaneous ex- penses	4,750 00	
Addressing postal no- tices, testing stations	14,750 00	
Witness fees	2,250 00	
Safety education	10,000 00	
		45,574 00

Current Repairs and Maintenance:

Equipment (28 testing stations)	\$10,000 00	
Automotive equipment	8,500 00	
		18,500 00

Additions and Improvements:

Filing cabinets	\$1,800 00	
Station and central of- fice equipment	5,000 00	
Testing equipment ...	2,000 00	
		8,800 00

Unclassified Expenditures:

Compensation award, Edythe Gill..	345 23	
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CHAPTER 67, LAWS OF 1947

In addition to the amounts hereinabove appropriated, there is also appropriated out of the 1946-47 unexpended balances the sum of \$80,660.00, or so much thereof as may be necessary.

\$2,516,926 03

R 8. STATE HIGHWAY DEPARTMENT

Highway
department.

Salaries and Wages:

Commissioner	\$15,000 00
Chief engineer	14,000 00
Other officers and employees	4,241,392 12
Wages and labor	2,566,312 84
Special services, temporary and outside.	70,800 00
	\$6,907,504 96

Materials and Supplies:

Heat, light and power	\$101,800 00
Gasoline, oil and grease	150,000 00
Stationery and office supplies	35,000 00
Tires and tubes	50,000 00
Highway lighting	312,000 00
Parts	50,000 00
Municipal aid	340,000 00
Printing, binding, blue-printing and photographing	45,000 00
Road construction and maintenance, supplies and materials.	1,000,000 00
Tools	15,000 00
	2,098,800 00

Services Other Than Personal:

Traveling expenses ..	\$55,000 00	
Telephone and telegraph	40,000 00	
Rent of equipment—mileage (traveling expenses)	36,400 00	
Insurance	27,500 00	
Postage	15,000 00	
Advertising, subscriptions, dues, et cetera ..	15,175 00	
Rent—land and buildings	52,040 00	
Rent—equipment	125,000 00	
Freight, cartage and storage	2,500 00	
Miscellaneous expenses	5,500 00	
		374,115 00

Current repairs and maintenance 10,000 00

Additions and Improvements:

Construction of institutional roads and approaches	\$751,941 75	
Office and engineering equipment	50,000 00	
Automobiles and other road building equipment	550,000 00	
		1,351,941 75

Unclassified:

Compensation, claims, awards, medical ...	\$50,000 00	
Maintenance by agreement and contract..	600,000 00	
Contingent	20,000 00	
		670,000 00

HIGHWAY PROJECTS

Highway
projects.*Construction of Roads and Bridges and Purchase
of Rights-of-Way*

Route No.

100 & S-100	Counties of Bergen, Hudson, Middlesex and Union	\$3,000,000 00
4 Pky.	Counties of Middlesex, Pas- saic and Union	2,500,000 00
..	Camden Approaches, Cam- den County	2,000,000 00
44	Verga - Pierce's Corner, Gloucester County	1,075,000 00
S-28	New Brunswick, Middlesex County	1,000,000 00
25	Deans-Route S-26, Middle- sex County	500,000 00
..	Palisades Interstate Park- way (Partial) Bergen County	500,000 00
28	Annandale Relocation, Hunterdon County	500,000 00
4	Forked River, Ocean County	730,000 00
4	Toms River - Lakewood, Ocean County	
6-A	Woodport - Sparta, Sussex County	
6	Rockaway River Viaduct, Morris County	
21	Newark Junction - Pointer Street, Newark, Essex County	
27	Rahway-Chestnut St., Ros- elle, Union County	
28	Garwood, Union County ...	
43	Stratford, Camden County.	
47	Millville-Oak Road, Vine- land, Cumberland County..	
6-A	Picatinny-Tierney's Corner, Morris County	
51	Bridgeport - Williamstown, Gloucester County	
	Miscellaneous, Contingencies and Emergencies	

Bridges over Delaware and Raritan
Canal and Feeder, not on Legislated
State Highway System:

Alexander Street, Princeton, Mercer County	}	265,000 00
Port Mercer, Lawrence and Princeton, Mercer County		
Griggstown, Franklin, Somerset County		
Weston, Franklin, Somerset County..		
Blackwells Mills, Franklin, Somerset County		
Harrison Street, Princeton, Mercer County		
Washington Crossing, Hopewell, Mer- cer County		
Coryell Street, Lambertville, Hunter- don County		

Total Construction \$12,070,000 00

Total Highway Department. \$23,482,361 71

Total Regular Appropria-
tions, 1947-48\$126,144,828 72

If it appears because of economic conditions that the State's interest can be better served by deferring projects for which specific appropriations are provided herein, the State Highway Commissioner with the written approval of the Governor is hereby empowered to transfer as between appropriations for construction projects which projects shall also include those listed in the following substitution program.

PROJECTS FOR SUBSTITUTION IN
STATE HIGHWAY CONSTRUCTION PROGRAM

1947-48 FISCAL YEAR

	<i>Route</i>	<i>Location</i>
Projects for substitution.	25	Yardville-Bordentown, Mercer and Burlington Counties.
	29	Somerville-Chimney Rock, Somerset County.
	36	W. Long Branch-Long Branch, Monmouth County.
	S-28	New Brunswick, Middlesex County.
	25	Cranbury-Hightstown, Middlesex and Mercer Counties.
	25	Deans-Route S-26, Middlesex County.
	4	Adelphia-Toll Gate Corner, Monmouth County.
	S-31	Branchville - Ross' Corner, Sussex County.
	S-40	Manahawkin, Ocean County.
	32	Bernardsville-Morristown, Somerset and Morris Counties.
	100	Trans-Meadow Route, Hudson County.
	4 Pky.	Toms River Relocation-Forked River, Ocean County.
	..	Camden Approaches, Camden County.
	6	Denville-Spicertown, Morris County.
	2	Route 4—Route S-3, Bergen County.
	34	Four-lane construction, Monmouth County.
	21	Newark, Essex County.
	25-A	Newark, Essex County.
	26-Ext.	Trenton, Mercer County.
	28-29	Con. Somerville-North Branch, Somerset County.
	4 Pky.	Monmouth County.
	4	Improvements, Fort Lee-Route 2, Bergen County.
	6	Improvements, Fort Lee-Little Ferry, Bergen County.

<i>Route</i>	<i>Location</i>
..	Palisades Interstate Park, Bergen County (Partial).
6	Pine Brook-Route 23 (subject to determination of flood control measures) Morris and Passaic Counties.
45	East Broadway, Salem, Salem County.
30	Oxford, Warren County.
4 Pky.	Absecon-Somers Point, Atlantic County.
44	Pierce's Corner-Bridgeport, Gloucester County.
49	Bridgeton-Millville, Cumberland County.
S-31	Hainesville-Brick House, Sussex County.
6-A	Lafayette-Ross' Corner, Sussex County.
27	Albany Street Bridge-Highland Park, Middlesex County.
10	Approaches to Wittppenn Bridge, Hudson County.
38	Kings Highway-Hainesport-Mt. Laurel Road, Burlington County.
33	Greenwood Avenue, Mercer County.
46	Bridgeton-Salem County, Line-Cumberland County.
28	Main Street, Somerville, Somerset County.
45	N. Broad Street, Woodbury, Gloucester County.
23	Sussex-High Point-Sussex County.
45	Woodstown-Mullica Hill, Gloucester and Salem Counties.

*Supplemental Appropriations for Prior
Fiscal Year*

B 5. LEGISLATIVE PRINTING

Deficiency in Legislative Printing for the fiscal year ending June 30, 1946	\$25,000 00	Legislative printing.
Deficiency in Legislative Printing for the fiscal year ending June 30, 1947	35,000 00	
		\$60,000 00

E 1. STATE BOARD OF EDUCATION

Board of education.	To reimburse school districts for one-half of excess cost of educating crippled children for school year ending June 30, 1946	\$145,246 68
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E 6. INDUSTRIAL EDUCATION

Industrial education.	For reimbursement to school districts for manual training expenses for the school year 1946-47	\$165,988 11
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Payments under this account to be made pursuant to R. S. 18:10-31.

E 7. STATE SCHOOL TAX

State school tax.	For deficiency for the support of free public schools for the school year 1946-47 from the General State Fund, which sum shall be transferred by the State Treasurer to reserve fund of the State School Tax, and when so transferred paid out of the treasury of this State on certification of the Commissioner of Education in order that all school districts of the State shall receive from State apportionments the quotas prescribed	\$2,499,822 19
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E 11. VETERANS' EDUCATION

Amount required to re- imburse school dis- tricts for the fiscal year 1945-46, in ac- cordance with Section 17, Chapter 64, P. L. 1946	\$36,459 60	Veterans' education.
Amount required to re- imburse school dis- tricts for the fiscal year 1946-47, in ac- cordance with Section 17, Chapter 64, P. L. 1946	375,000 00	
	<u>\$411,459 60</u>	

H 2. PENSIONS

For deficiency in amount required for fiscal year 1946-47, to pay pensions pursuant to various acts relative thereto	\$35,000 00	Pensions.
	<u></u>	

X 26. STATE SUBSIDY FOR DIVISION OF OLD AGE
ASSISTANCE

To meet estimated additional re- quired for the fiscal year 1946-47 ..	\$115,000 00	Subsidy, old age assistance.
	<u></u>	

X 27. STATE SUBSIDY FOR MAINTENANCE OF
CHILDREN UNDER THE CARE OF THE BOARD
OF CHILDREN'S GUARDIANS

Subsidy, board of children's guardians.	To meet estimated additional re- quired for fiscal year 1946-47	\$325,000 00
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R 3. STATE AID TO COUNTIES AND MUNICIPALITIES

State aid.	To provide additional county and township aid for highway purposes for the fiscal year 1946-47 (calen- dar year 1947). Construction, r e c o n - s t r u c t i o n, mainte- nance, et cetera, of county roads	\$1,000,000 00
	Construction, grading, maintenance, et cetera, of municipal roads, pursuant to provisions of R. S. 27:15	1,050,000 00
	Expenditures pursuant to section 27:14-1 of the Revised Statutes (\$20,000.00 additional for county for 1946- 47)	420,000 00
		\$2,470,000 00

R 8. STATE HIGHWAY DEPARTMENT

HIGHWAY PROJECTS, FISCAL YEAR 1946-47

<i>Route</i>	<i>Bridges</i>		Highway bridges.
44	Woodbury Creek Bridge, Gloucester County	\$350,000 00	
49	Maurice River Bridge, Mill- ville, Cumberland County..	525,000 00	
35	Manasquan River Bridge, Monmouth, Ocean County..	2,500,000 00	
S-49	Grassy Sound Bridge, Cape May County	1,000,000 00	
37	Island Heights Bridge, Ocean County	1,500,000 00	
			\$5,875,000 00

	<i>Roads and Bridges</i>		Roads and bridges.
S-3	Route 6-Passaic River, Passaic County	\$2,000,000 00	
S-3	Route 2 to Passaic River, Bergen County	700,000 00	
S-4 B	Route 4 to Maple Ave., Ber- gen County	1,500,000 00	
17 (2)	E. Rutherford to Route 6, Bergen County	400,000 00	
25-A	Route 21-Broad St., Newark, Essex County	825,000 00	
25	Port St.-Foundry St., Newark, Essex County	800,000 00	
26	Ext. Trenton, Mercer County.	1,500,000 00	
100 & S-100	Counties of Bergen, Hudson, Middlesex and Union	3,000,000 00	
4 Pky.	Counties of Middlesex, Pas- saic and Union	3,000,000 00	
1	Bayonne Dock, Hudson County	751,000 00	
3	Secaucus By-Pass, Hudson County	2,000,000 00	
			\$16,476,000 00

To provide for the cost of flood damage to roads as outlined in Chapter 301, Laws of 1946\$1,000,000 00

The above sum appropriated for the cost of flood damage shall be reduced by any sums made available by Federal aid for this purpose.

If it appears because of economic conditions that the State's interest can be better served by deferring projects for which specific appropriations are provided herein, the State Highway Commissioner with the written approval of the Governor is hereby empowered to transfer as between appropriations for construction projects which projects shall also include those listed in the following substitution program.

PROJECTS FOR SUBSTITUTION IN
STATE HIGHWAY CONSTRUCTION PROGRAM
1946-47 FISCAL YEAR

	<i>Route</i>	<i>Location</i>
Projects for substitution.	25	Yardville-Bordentown, Mercer and Burlington Counties.
	29	Somerville-Chimney Rock, Somerset County.
	36	West Long Branch-Long Branch, Monmouth County.
	S-28	New Brunswick, Middlesex County.
	25	Cranbury-Hightstown, Middlesex and Mercer Counties.
	25	Deans-Route S-26, Middlesex County.
	4	Adelphia-Toll Gate Corner, Monmouth County.
	S-31	Branchville-Ross' Corner, Sussex County.
	S-40	Manahawkin, Ocean County.
	32	Bernardsville - Morristown, Somerset and Morris Counties.

<i>Route</i>	<i>Location</i>
100	Trans-Meadow Route, Hudson County.
4 Pky.	Toms River Relocation-Forked River, Ocean County.
..	Camden Approaches, Camden County.
6	Denville-Spicertown, Morris County.
2	Route 4—Route S-3, Bergen County.
34	Four-lane construction, Monmouth County.
21	Newark, Essex County.
25-A	Newark, Essex County.
26-Ext.	Trenton, Mercer County.
28-29	Con. Somerville-North Branch, Somers- et County.
4 Pky.	Monmouth County.
4	Improvements, Fort Lee-Route 2, Ber- gen County.
6	Improvements, Fort Lee-Little Ferry, Bergen County.
..	Palisades Interstate Park, Bergen County (Partial).
6	Pine Brook-Route 23 (Subject to deter- mination of flood control measures) Morris and Passaic Counties.
45	East Broadway, Salem, Salem County.
30	Oxford, Warren County.
4 Pky.	Absecon-Somers Point, Atlantic County.
44	Pierce's Corner-Bridgeport, Gloucester County.
49	Bridgeton-Millville, Cumber- land County.
S-31	Hainesville-Brick House, Sussex County.
6-A	Lafayette-Ross' Corner, Sussex County.
27	Albany Street Bridge-Highland Park, Middlesex County.
10	Approaches to Wittpenn Bridge, Hud- son County.
38	Kings Highway-Hainesport-Mt. Laurel Road, Burlington County.
33	Greenwood Avenue, Mercer County.

<i>Route</i>	<i>Location</i>
46	Bridgeton-Salem County, Line-Cumberland County.
28	Main Street, Somerville, Somerset County.
45	North Broad Street, Woodbury, Gloucester County.
23	Sussex-High Point-Sussex County.
45	Woodstown-Mullica Hill, Gloucester and Salem Counties.

CLAIMS

E 1. STATE BOARD OF EDUCATION

Claims:
Board of
education:

Board of education of the township of Stillwater, representing reimbursement for education of dependent children in 1943-44 .. \$360 00

The above claim shall be paid from funds currently on hand in the Department of Education.

R 8. STATE HIGHWAY DEPARTMENT

Highway
department

Ole Hansen, for additional remuneration for the construction of the Absecon boulevard over Beachthorofare in Atlantic county due to delays caused by the war emergency and other Federal regulations .. \$50,000 00

Edward J. Osmer, for medical expenses and loss incurred due to accident, occasioned through conditions created by this de- partment, involving no apparent negligence on the part of the claimant	212 05
Richard R. Fitzpatrick, damage to truck	10 00
Joseph Pinter, for dam- age to tires during the Spring of 1946	26 00
Mrs. Richard Castell, in- jury sustained on Oc- tober 29, 1946	85 00
George Sicieluk, losses sustained in fire on Hudson - Manhattan bridge, August 31, 1946	57 50
Andrew Hayes, losses sustained in fire on Hudson - Manhattan bridge, August 31, 1946	23 00
Louis Sabatini, losses in- curred in cave-in of fire well trap on State highway route 45	59 00
Merrill K. Scheirer, damage to eyeglasses while testing for de- partment	8 00
John Przemieniecki, damage to eyeglasses while removing flags on State highway	5 50

Harold D. Kettlewood, damage to eyeglasses in performing duties with the department	11 75
J. Logan Goldy, damage to eyeglasses while engaged in mudjacking operations	6 00
Alfred Kaner, damage to eyeglasses while on duty at Fernwood Service Station	6 00
Ralph Patrone, to re- imburse losses sus- tained in cave-in of fire cistern on Route 45, March 11, 1946 ..	73 00
Borough of Fort Lee, to reimburse in part for damages due to the breaking of system and sanitary sewer because of overtax- ing the line by excess water from State highway route No. 5 drainage system	2,037 00
Walter and Henry Du- mansky, to cover losses sustained in delay of constructing gas station, which de- lay was occasioned by the Highway De- partment	2,500 00
Samuel Manger, to cover losses sustained due to delay in the con- struction of a tavern at the junction of Routes Nos. 25 and 35,	

which delay was occasioned by the Highway Department	12,946 00
	\$68,065 80

The hereinabove listed claims amounting to \$68,065.80 shall be paid from unexpended amounts of appropriations herein made to the State Highway Department.

The above appropriated items for claims are in full settlement of all claims of every character, and the acceptance of said sums shall constitute a full and complete release and acquittance to the State of New Jersey, its agencies and instrumentalities.

Total Supplemental Appropriations	\$29,578,516 58
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Total Regular and Supplemental Appropriations ...	\$155,723,345 30
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Unappropriated Balances and Reserves	\$12,724,017 32
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It is expressly provided that highway users revenues included in the unappropriated balance and reserve set forth above shall be earmarked for highway purposes and held for subsequent legislative appropriation.

	\$168,447,362 62
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The foregoing amounts for Supplemental Appropriations and Claims in prior fiscal years shall be available for expenditure immediately upon passage of this act.

Federal
allotments.

2. Any additional allotments of funds for highway purposes which may be made by the Federal Government to the State of New Jersey, are hereby appropriated for the purposes for which such moneys are allocated, and the State Highway Commissioner is hereby authorized to carry out such projects as may be designated by the Federal Government.

Moneys used
as specified.

3. No money shall be drawn from the treasury except for objects as hereinabove specifically appropriated, and except such sums as may be required to refund amounts credited to the State treasury which do not represent State revenues, and except such sums which are by law devoted to specific purposes, namely, State school tax, United States appropriation to Agricultural College, taxes for the use of taxing districts in this State, Grade Crossing Elimination Fund, Federal Forest Fire Fund, Federal Forest Nursery Fund, Forest Land Fund, one per centum (1%) Workmen's Compensation Tax Fund, Receipts of High Point Park, moneys directed by any law to be paid to the Teachers' Pension and Annuity Fund, 1837 Surplus Revenue Fund income, State Police Retirement Fund, receipts of the State Employees' Retirement System from counties and municipalities, pursuant to chapter 15, R. S. 43, Clerk in Chancery Enrollment Fund, moneys received pursuant to chapter 199 of the laws of 1945, unclaimed accounts of patients and prisoners in State institutions, Unemployment Compensation Funds and Employment Service Funds, provided employment service functions are transferred by the Federal Government to the State, Compensation awards, moneys received by the several institutions representing garage rentals which moneys shall be

devoted exclusively by such institution to erection of new garages where needed, funds received from the Federal Government for vocational education, funds received by the sale of articles made in occupational therapy departments of the several institutions, said funds to be devoted to the purchase of additional material and other incidental expenses, Crippled Children's Commission, Palisades Interstate Park Commission, Interconnection Revolving Fund of the Division of Water Policy and Supply of the Department of Conservation, revenue from leasing and berthing space for boat anchorage, Federal funds subsidizing the State; Funds appropriated for institution construction; moneys received representing insurance to cover losses by fire and other casualties; this section shall not be construed to prohibit the payment due upon any contract made under an appropriation of previous years; moneys received by the Department of Conservation from the sale or lease of forest reserve lands pursuant to R. S. 13:8-9; moneys received by the Department of Conservation representing revenues from parks; moneys received by the Quartermaster-General under the provisions of article 3, chapter 2, of Title 38 of the R. S.; nor shall this act apply to moneys appropriated by joint resolution of the Legislature where such moneys have been set apart by the Commissioner of Taxation and Finance.

Construing.

4. In order that there be flexibility in the handling of appropriations, any department or other State agency receiving an appropriation by any act of the Legislature may apply to the Commissioner of Taxation and Finance for permission to transfer a part of any item granted to such department or agency to any other item in such appropriation. Such application shall only be made during the current year for which the appropriation was made, and if the Commissioner of Taxation and Finance shall consent thereto, he shall place the amount so transferred to the credit of the

Transfer of appropriations.

- Proviso. item so designated; *provided, however*, that no sum appropriated for any permanent improvement shall be used for maintenance or for any temporary purpose.
- May make transfers. 5. The Commissioner of Taxation and Finance is hereby empowered, and it shall be his duty in the disbursement of funds appropriated for the maintenance and operation of any department or branch thereof, the duties or responsibilities of which are or may hereafter be transferred to any other department or branch, to transfer such appropriations to such department or branch as shall be charged with the responsibility of administering the functions of such department or branch so transferred. The Commissioner of Taxation and Finance shall also have the authority to create such new accounts as may be necessary to carry out the intent of the Legislature.
- May create new accounts.
- Corrections made to comply with intentions. 6. The Commissioner of Taxation and Finance shall make such correction of the title, text or account number of an appropriation, necessary to make such appropriation available for the purpose or purposes intended. Such correction shall be by written ruling, reciting in appropriate details the facts thereof, and the reasons therefor, attested by the signature of said Commissioner of Taxation and Finance and filed in the division of budget and accounting of said Department of Taxation and Finance as an official record thereof, and any action thereunder, including disbursements and the audit thereof, shall be legally binding and of full force and virtue.
- May transfer from various appropriations. 7. The Commissioner of Taxation and Finance is hereby empowered, notwithstanding any other provision of the law, to transfer from the various appropriations for construction, reconstruction, additions to and betterments of State buildings and appurtenances thereto, herein contained, to the appropriation for the division of architecture and construction of the Department of Institutions and Agencies a sufficient sum to pay for the cost of all

architectural work, superintendence and other expert services in connection with such work.

8. The Commissioner of Taxation and Finance may, upon application therefor, allot from appropriations made to any official, department, commission or board a sum to establish a petty cash fund, for the payment of expenses under rules and regulations established by the Commissioner of Taxation and Finance. The allotments thus made by the Commissioner of Taxation and Finance shall be paid to such person as shall be designated as the custodian thereof by the official, department, commission or board making request therefor, and the money thus allotted shall be disbursed by such custodian, who shall require from all persons obtaining money from said fund a receipt therefor. Such receipts shall by such custodian be forwarded monthly to the Commissioner of Taxation and Finance for audit, and said Commissioner of Taxation and Finance shall likewise make regulations governing disbursements from petty cash funds. Petty cash fund.

9. This act shall take effect on the first day of July, one thousand nine hundred and forty-seven, except as to the section covering supplementals and claims, which section shall take effect immediately. Act effective.

Approved April 17, 1947.

CHAPTER 68

AN ACT to amend an act entitled “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.”

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 amendatory be amended as follows:

C. 23:5-5.1.
Taking of
striped bass
by angling.

1. It shall be lawful to take from or in any of the fresh or salt waters of this State, including the waters of the Atlantic ocean within three nautical miles of the coast line, striped bass, commonly called rockfish, in the manner commonly known as angling with rod and line at any time of the year.

2. This act shall take effect immediately.

Approved April 17, 1947.

CHAPTER 69

AN ACT concerning elections, and amending section 19:37-2 of the Revised Statutes.

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

Section
amended.

1. Section 19:37-2 of the Revised Statutes is hereby amended to read as follows:

Question
placed on
ballot.

19:37-2. If a copy of the ordinance or resolution certified by the clerk or secretary of the governing body of any such municipality or county is de-

livered to the county clerk not less than forty days before any such general election, he shall cause it to be printed on each sample ballot and official ballot to be printed for or used in such municipality or county, as the case may be, at the next ensuing general election.

Approved April 18, 1947.

CHAPTER 70

AN ACT to amend "A supplement to an act entitled 'An act respecting the orphans' court,' approved June fourteenth, one thousand eight hundred and ninety-eight," approved May first, one thousand nine hundred and eleven (P. L. 1911, c. 309).

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

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

Section
amended.

2. Any foreign will or a copy thereof, or a copy of the record of the probate of any foreign will, filed, recorded or probated in this State prior to the fourth day of July, anno Domini one thousand nine hundred and eighteen, shall be deemed to be valid and effectual in law, notwithstanding the fact that the copy of any such foreign will or the record thereof or the certificate of probate thereon, or the letters granted thereon in any such foreign State, Territory of the United States, District of Columbia or Kingdom, or the exemplification thereof, on which such foreign will was probated in this State, fail to set forth or contain the proofs that the will was made and executed in the manner and with the formalities prescribed by the statute of this State for devises of lands; and all conveyances

Validates
certain
foreign wills.

of such real estate heretofore or hereafter made by any executor or executors, or administrator or administrators, with the will annexed, trustee or trustees, or the survivor or survivors of them, or by any devisee or devisees, or persons claiming under such devisee or devisees, shall be as valid as if said will had been admitted to probate and letters testamentary, or of administration with the will annexed, had been issued in this State upon proofs taken that the said will was made and executed in the manner and with the formalities prescribed by the statute of this State for devises of lands; and such record of any such proceedings in this State, or certified copies thereof, shall be received in evidence in all courts of this State.

2. This act shall take effect immediately.

Approved April 18, 1947.

CHAPTER 71

AN ACT authorizing any city of the fourth class by ordinance, subject to referendum, to impose, in the municipality, certain retail sales and services taxes and providing for the collection thereof.

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

Preamble.

WHEREAS, The Legislature, in furtherance of public policy, has for a period of years greatly enlarged municipal activities, principally in matters of public health and public safety, with no consequent grant of revenue power to meet these modern and constantly expanding conditions; and

WHEREAS, The sources of revenue in the various municipalities, particularly in cities of this State bordering upon the Atlantic ocean and being seaside or summer resorts, are inadequate and insufficient to meet existing municipal obligations; and

Preamble.

WHEREAS, Many of these impositions are mandatory in character, and it is necessary and essential that such cities be given power to increase existing revenues; therefore

Preamble.

1. Any city of the fourth class in this State is authorized and empowered to enact an ordinance or ordinances for the purposes of increasing public revenue and to levy and collect taxes upon retail sales, or sale at retail, as defined in this act, and to devote the proceeds from such sales to municipal purposes as herein defined.

C. 40:48-8.15.
Authorized
to impose
sale tax.

2. As used in this act:

“Retail sale” or “sale at retail” means and includes

C. 40:48-8.16.
Terms defined:
Retail sale;

(1) Any sale in the ordinary course of business for consumption or use, or for any purpose other than resale, of

(a) Cigarettes, cigars or other tobacco products; or

(b) Whiskey, beer or other alcoholic beverages including the sales of drinks in restaurants, cafes, bars, hotels and other similar establishments;

(2) Any cover charge, minimum charge, entertainment or other similar charge made to any patron of any restaurant, cafe, bar, hotel or other similar establishment;

(3) The hiring, with or without service, of any room in any hotel, inn, rooming or boarding house;

(4) The hiring of any rolling chair, beach chair or cabana, and

(5) The granting or sale of any ticket, license or permit for admission to any theatre, moving picture exhibition or show, pier, exhibition, or place of amusement.

Vendor; "Vendor" means any person selling or hiring property or services to another person upon the receipts from which a tax is imposed.

Purchaser. "Purchaser" means any person purchasing or hiring property or services from another person, the receipts from which are taxable.

C. 40:48-8.17.
Schedule
of taxes.

3. Any such ordinance may impose such tax up to the amount set forth in the following schedule but not in excess thereof:

- (a) twelve cents (\$0.12) or less, no tax;
- (b) over twelve cents (\$0.12) and not over fifty cents (\$0.50), a tax of two cents (\$0.02);
- (c) over fifty cents (\$0.50) and not over one dollar (\$1.00), a tax of three cents (\$0.03);
- (d) over one dollar (\$1.00), a tax of three cents (\$0.03) on each even dollar (\$1.00) thereof and if there is any fraction of a dollar (\$1.00), a tax on such fraction according to the schedule above.

Tax on
tobacco.

In imposing any such tax on the sale of any cigars, cigarettes or other tobacco products, any such ordinance may provide that each cigar, each pack or tin of cigarettes and each other tobacco container involved in a sale shall be considered as a separate sale and any tax imposed on any such sale may be fixed in such ordinance at a different rate than on other retail sales but not in excess of the schedule above on each cigar, pack or tin of cigarettes and other tobacco container.

C. 40:48-8.18.
Nontaxable
items.

4. No such tax sale shall be imposed:

- (a) upon any isolated transaction not made in the ordinary course of repeated and successive transactions of a like character;
- (b) upon sales by any State use industry or any sales by any governmental agency in this State to any other governmental agency in this State;
- (c) upon any sale to or by the State or any county, municipality, school district, or other political subdivision thereof;

(d) upon any sales which this State is prohibited from taxing under the Constitution and laws of the United States of America;

(e) upon sales or charges made by any church or bona fide purely charitable association not conducted for profit.

5. Such ordinance shall provide for the collection of such tax by an officer of such municipality who shall be designated in such ordinance; shall provide methods for enforcement; and may provide penalties for the violation of any of the provisions of such ordinance. C. 40:48-8.19.
Collection
of tax.

6. Every ordinance imposing a tax under the authority of this act shall contain the following provisions: C. 40:48-8.20.
Contents of
ordinance.

(a) all taxes imposed by such ordinance shall be paid by the purchaser;

(b) no vendor shall assume or absorb any tax imposed by such ordinance;

(c) no vendor shall in any manner advertise or in any manner represent that any tax imposed by such ordinance will be assumed or absorbed by him;

(d) each such assumption or absorption by any vendor of any such tax shall be deemed a separate offense and each such representation and each such advertisement by any vendor, each day the same shall continue, shall be deemed a separate offense;

(e) penalties, as fixed in such ordinance, for violation of the foregoing provisions.

7. All revenues collected under any such ordinance shall be deposited in the general fund of the municipality and may be used for general municipal purposes, including the reduction and liquidation of bonded indebtedness, the payment of salaries, construction, reconstruction, maintenance and repair of municipal buildings, installations and properties, and for such other purposes as may be provided by existing ordinances or ordinances hereafter enacted for general municipal purposes. C. 40:48-8.21.
Use of
revenues.

C. 40:48-8.22.
Tax limited
to limits of
municipality.

8. Any tax imposed under the authority of any such ordinance shall have application only within the territorial limits of such municipality and shall be in addition to all other taxes and excises.

C. 40:48-8.23.
No tax on
outside
transactions.

9. No such tax shall be imposed on any sale or transaction originating or consummated, or both, outside such municipality, notwithstanding that some act be necessarily performed with respect to such sale or transaction within such municipality.

C. 40:48-8.24.
Tax imposed
without
discrimination.

10. No such tax shall be imposed on a nonresident of such municipality or on account of any sale or transaction by or with a nonresident of such municipality, except when imposed without discrimination as between residents and nonresidents on account of tangible property actually located in such municipality, or service actually rendered in such municipality or on account of transfers, retail sales or other transactions actually made or consummated within such municipality by a nonresident while within such municipality.

C. 40:48-8.25.
Referendum.

11. Any ordinance adopted pursuant to the provisions of this act shall, before the same becomes operative, be submitted by the governing body of the municipality to the electors thereof at any general election, at any primary election, or at a special municipal election held for that purpose. Such ordinance shall provide for and fix the time of the holding of such election, of which the municipal clerk shall give notice by causing the same to be published in a newspaper or newspapers circulating in such municipality. The municipal clerk shall likewise prepare the ballots for use in said election. Such election shall be conducted by the respective district boards of registry and election in such municipality, and the canvass and return thereof shall be made in the same manner and subject to the same election procedure now governing general or special elections.

12. The ballots to be used at such election shall be in substantially the following form: C. 40:48-8.26.
Form of
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.

“Shall the ordinance (here insert the title of the proposed ordinance) be adopted?”

☐ YES
☐ NO

13. If a majority of the qualified electors voting on the proposed ordinance shall vote in favor thereof, such ordinance shall thereupon become a valid and binding ordinance of the municipality. Any such ordinance shall continue in force and effect until the same shall be repealed by the governing body or until the voters of such municipality shall authorize such repeal at a referendum election held for such purpose. C. 40:48-8.27.
Results of
referendum.

14. If the ordinance so submitted shall be adopted by the voters of the municipality, the cost of such election shall be paid from the first revenues obtained under such ordinance. Should, however, the ordinance be rejected, the cost of such election shall be paid from general municipal revenues. C. 40:48-8.28.
Cost of
referendum.

15. This act shall take effect immediately.
Filed April 19, 1947.

CHAPTER 72

AN ACT to provide for the payment of unclaimed deposits in the Court of Chancery to the State Treasurer for the use of the State and to claimants by the State Treasurer, regulating the practice and procedure, inspection of records and fees, and making certain violations of the act misdemeanors.

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

C. 2:29-82.1.
Unclaimed
deposits.

1. "Unclaimed deposit" as used in this act shall mean any property or sum of money or portions thereof with all accumulations of interest thereon or increments thereto, heretofore deposited or paid into or which hereafter shall have been deposited or paid into the Court of Chancery to the credit of a specific cause or account under the provisions of any rule or order or decree of the Chancellor and has or shall have remained uncalled for or unclaimed for a period of twenty years.

Such "unclaimed deposit" shall not include

(a) Any sum to the credit of any cause or account which has been reduced by withdrawal or increased by deposit, exclusive of interest credit, within a period of twenty years,

(b) Any sum to the credit of any cause or account with respect to which any proper paper or pleading has been filed with and docketed in such cause by the Clerk in Chancery within a period of twenty years.

C. 2:29-82.2.
Deposit deemed
unclaimed.

2. Whenever any property or sum of money has heretofore been deposited or hereafter shall have been deposited or paid into the Court of Chancery by virtue of the provisions of any rule or decree or order of the Chancellor and shall have remained uncalled for or unclaimed for a period of twenty years, such unclaimed deposit shall be deemed to

be abandoned and shall be payable to the State Treasurer for the use of the State in accordance with the provisions of this act.

3. Not later than sixty days after the effective date of this act, the Attorney-General, for and on behalf of the State and in the name of the State Treasurer, shall present to the Chancellor a petition setting forth a list of such unclaimed deposits computed as of the thirty-first day of December in the year one thousand nine hundred and forty-six which the Chancellor shall have determined to be subject to the provisions of this act, together with the title of the cause or account, the date of the original deposit and the existing balance thereof, computed as of the thirty-first day of December in the year one thousand nine hundred and forty-six.

C. 2:29-82,3.
Petition by
attorney-
general.

On the filing of the said petition, the Attorney-General shall promptly mail a copy of the petition to the sheriff of each county of this State and to the sergeants-at-arms at the respective Chancery chambers throughout the State. It shall be the duty of the sheriff to promptly post said copy of the petition upon the bulletin board of the court house of such county and the sergeants-at-arms shall be under a similar duty to post said copy of the petition upon the bulletin boards of the respective Chancery chambers. The Attorney-General shall attach to the copy of said petition a notice stating that on a date not less than thirty days from the date of the filing of the petition, he will apply to the Chancellor at his chambers in the city of Trenton for an order to pay the unclaimed deposits listed in the petition to the State Treasurer. The original notice shall be filed with the Clerk in Chancery. Immediately following such posting, each sheriff and each sergeant-at-arms shall certify in writing to the Chancellor the date on which the copy of the petition and notice were posted. Such posting of copies of the petition and notice shall be deemed to be notice to all interested parties.

Mailing and
posting petition.

Notice.

Petition and
notice posted
in chancery
chambers.

The Attorney-General shall send an additional copy of said petition and notice to the sergeants-at-arms at the respective Chancery chambers and it shall be the duty of each sergeant-at-arms to keep said copy available for public inspection during regular office hours. The Attorney-General shall also cause to be posted on the bulletin board in the office of the Clerk in Chancery a copy of the said petition and notice.

C. 2:29-82.4.
Petition to be
filed at least
once in every
five years.

4. The Attorney-General, for and on behalf of the State and in the name of the State Treasurer shall present to the Chancellor a petition similar to the petition required to be presented under section three of this act, at least once in every five years, for the payment of unclaimed deposits to the State Treasurer for the use of the State as of the thirty-first day of December of the year preceding the one in which the petition shall be presented, which shall include as of such date, all unclaimed deposits which the Chancellor shall determine to be subject to the provisions of this act. Notice of any such petition and the proceedings thereon shall be similar to the notice and proceedings in respect to the petition first to be presented under this act. Any such petition may be presented in any one year whenever the Chancellor shall so direct.

C. 2:29-82.5.
Order direct-
ing payment.

5. The Chancellor upon being satisfied that the unclaimed deposits as set forth in the petition have remained uncalled for or unclaimed for a period of twenty years, may order such deposits paid to the State Treasurer for the use of the State in accordance with the provisions of this act.

C. 2:29-82.6.
Petition
to recovery.

6. At any time after any unclaimed deposit shall have been paid to the State Treasurer, any person claiming an interest in and a right to any such deposit or any part thereof, may petition the Chancellor for an order directing the State Treasurer to pay to the petitioner such amount as the Chancellor shall determine the petitioner is entitled to, which in no case shall include interest on such deposit from the date of payment to the State Treasurer. Not less than fifteen days' notice of

the said application together with a copy of the petition, shall be served upon the State Treasurer and the Attorney-General, and such service shall be deemed to be service upon the State of New Jersey. The Chancellor shall hear and determine the matter, and may make an order directing the State Treasurer to pay to the petitioner such amount as he determines the petitioner is entitled to. The State Treasurer upon receipt of a certified copy of the said order shall be authorized, empowered and required to pay such sum as the said order shall direct from any available funds in his hands and if there are no available funds he shall report the fact to the Governor and the Legislature and an appropriate item for the payment thereof shall be included in the next annual appropriation bill, unless the appropriation shall be previously made.

Order to pay
petitioner.

7. Any person aggrieved by any order of the Chancellor made upon a petition for an order directing the State Treasurer to pay an unclaimed deposit, may appeal to the Court of Errors and Appeals, provided such appeal be taken within forty days after the making of the said order and prosecuted according to statutory provisions and the rules of the Court of Chancery and the Court of Errors and Appeals applicable to appeals from the Court of Chancery.

C. 2:29-82.7.
Appeals.

8. Upon any payment to the State Treasurer of an unclaimed deposit pursuant to the provisions of this act, any and all liability of the Chancellor and the Clerk in Chancery to any person whomsoever in respect to such deposit, shall cease and be at an end.

C. 2:29-82.8.
Liability
to end.

9. The records, accounts, files, dockets, and other papers pertaining to unclaimed deposits shall be withheld from indiscriminate public inspection, but shall be open to inspection during the usual office hours by a person having a right, title or interest in or to such unclaimed deposits or his duly authorized solicitor or counsel, and to no other person except by order of the Chancellor made for that purpose.

C. 2:29-82.9.
Limits public
inspection
of records.

C. 2:29-82.10.
Unauthorized
showing
of records a
misdemeanor.

10. It shall be unlawful for any person attached to or connected with or employed in or by the Court of Chancery or office of the Clerk in Chancery, to suffer or permit the inspection of the records, accounts, files, dockets, and other papers pertaining to such unclaimed deposits, other than as authorized by this act, and any person who shall violate the provisions of this section shall be guilty of a misdemeanor.

C. 2:29-82.11.
Limits
compensation
of counsels.

Proviso.

11. Any payment or agreement for payment of compensation for the services of a solicitor or counsel in respect to obtaining an order directing the payment of an unclaimed deposit by the State Treasurer, in excess of fifteen per centum (15%) of the amount ordered or to be ordered paid shall be contrary to the public policy of this State and null and void; *provided*, that upon the making of an order directing the State Treasurer to pay the amount of an unclaimed deposit, the Chancellor may allow and order a counsel fee, to be paid out of the moneys to which the petitioner is held to be entitled.

C. 2:29-82.12.
Sections
severable.

12. In the event any section, part or provision of this act is held to be invalid, such holding shall not affect any other section, part or provision of this act, but the same shall be and remain in full force and effect.

13. This act shall take effect immediately.

Approved April 17, 1947.

CHAPTER 73

AN ACT to provide for compensation to certain municipalities, wherein lands are held by the Palisades Interstate Park Commission, for the loss of tax revenue by reason of the exemption of such lands from taxation, whenever the Legislature shall make an appropriation for such purpose.

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

1. The assessor of any municipality, wherein is situate lands exempt from taxation and held by the Palisades Interstate Park Commission exceeding in the aggregate ten per centum (10%) of the total area thereof, shall file with the county board of taxation in each year, with his assessment list, a certificate that the area of such lands exceeds in the aggregate ten per centum (10%) of the total area of the municipality, briefly describing the same, and stating the value of such lands without the buildings and improvements, if any, as valued in his list of exempt property, prepared pursuant to section 54:4-27 of the Revised Statutes.

C. 54:4A-4.
Certificate,
land area.

2. The county board of taxation shall, in each year, estimate the sum of money which the municipality would have derived during said year as tax revenue for local purposes from such lands, if the same were not exempt from taxation, as soon as practicable after the receipt of such certificate and shall forthwith certify such amount to the clerk of the municipality and to the State Department of Taxation and Finance and the State Department of Taxation and Finance shall transmit copies of said certificate to the Governor forthwith and to the chairmen of the Appropriation Committees of the Senate and General Assembly during the first week of the session of the Legislature held in the

C. 54:4A-5.
Estimate
prepared.

Municipality
to be
compensated.

C. 54:4A-6.
Shown as
anticipated
revenue.

C. 54:4A-7.
Use of money.

next ensuing calendar year, to the end that there may be appropriated by the Legislature to such municipality a sum to compensate such municipality for the loss of revenue occasioned by reason of the exemption from taxation of such lands.

3. Any sum so appropriated in any year shall be included by the municipality in its budget for the following year as anticipated revenue and shall be paid to the municipality on or before July first of that year, according to the warrant of the Commissioner of Taxation and Finance drawn on the State Treasurer to the order of the treasurer of the municipality.

4. The said sum, so appropriated and paid to the municipality, shall be used by the municipality for general municipal purposes.

5. This act shall take effect immediately.

Approved April 21, 1947.

CHAPTER 74

AN ACT adding a new route to the State highway system and designating the same as a parkway.

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

Additional
route.

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

Description.

Beginning at a point in the boundary line between the States of New Jersey and New York in the borough of Alpine, connecting with the proposed Palisades Interstate parkway to be built by the State of New York, and extending in a general southerly direction east of State Highway Route

No. 1 to the vicinity of the George Washington bridge; with a spur extending in a general westerly direction from the main parkway to Linwood avenue, in the borough of Fort Lee on said State Highway Route No. 1.

2. The route hereby established is hereby designated as a parkway, as defined in chapter eighty-three of the laws of one thousand nine hundred and forty-five. Parkway.

3. This act shall take effect immediately.

Approved April 21, 1947.

CHAPTER 75

AN ACT relating to labor disputes in certain public utilities; amending the title of "An act concerning labor disputes in public utilities; providing for collective bargaining; enlarging the duties of the State Board of Mediation; providing for seizure and operation of public utilities by the State; providing for compulsory arbitration of labor disputes in public utilities; and providing penalties for the violation thereof," approved March twenty-sixth, one thousand nine hundred and forty-six (P. L. 1946, c. 38), as said title was amended by chapter forty-seven of the laws of one thousand nine hundred and forty-seven, so that the same shall read "An act concerning labor disputes in public utilities; providing for collective bargaining; enlarging the duties of the State Board of Mediation; providing for seizure and operation of public utilities by the State; prohibiting certain acts for the duration of such seizure and operation; providing for compulsory arbitration of labor disputes in public utilities;

providing penalties and injunctive relief for the violation thereof; and providing for declaratory and other relief with respect thereto," and amending and supplementing the body of said act; and amending the title of "An act to amend the title of 'An act concerning labor disputes in public utilities; providing for collective bargaining; enlarging the duties of the State Board of Mediation; and providing for seizure and operation of public utilities by the State,' approved March twenty-sixth, one thousand nine hundred and forty-six (P. L. 1946, c. 38), so that the same shall read 'An act concerning labor disputes in public utilities; providing for collective bargaining; enlarging the duties of the State Board of Mediation; providing for seizure and operation of public utilities by the State; providing for compulsory arbitration of labor disputes in public utilities; and providing penalties for the violation thereof'; and to supplement the body of said act," approved April ninth, one thousand nine hundred and forty-seven (P. L. 1947, c. 47), so that the same shall read "An act to amend the title of 'An act concerning labor disputes in public utilities; providing for collective bargaining; enlarging the duties of the State Board of Mediation; and providing for seizure and operation of public utilities by the State,' approved March twenty-sixth, one thousand nine hundred and forty-six (P. L. 1946, c. 38), so that the same shall read 'An act concerning labor disputes in public utilities; providing for collective bargaining; enlarging the duties of the State Board of Mediation; providing for seizure and operation of public utilities by the State; prohibiting certain acts for the

duration of such seizure and operation; providing for compulsory arbitration of labor disputes in public utilities; providing penalties and injunctive relief for the violation thereof; and providing for declaratory and other relief with respect thereto,' and to supplement the body of said act," and amending the body of said act.

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

1. The title of "An act concerning labor disputes in public utilities; providing for collective bargaining; enlarging the duties of the State Board of Mediation; providing for seizure and operation of public utilities by the State; providing for compulsory arbitration of labor disputes in public utilities; and providing penalties for the violation thereof," approved March twenty-sixth, one thousand nine hundred and forty-six (P. L. 1946, c. 38), as said title was amended by chapter forty-seven of the laws of one thousand nine hundred and forty-seven, is amended to read "An act concerning labor disputes in public utilities; providing for collective bargaining; enlarging the duties of the State Board of Mediation; providing for seizure and operation of public utilities by the State; prohibiting certain acts for the duration of such seizure and operation; providing for compulsory arbitration of labor disputes in public utilities; providing penalties and injunctive relief for the violation thereof; and providing for declaratory and other relief with respect thereof." Title amended.
New title.

2. The title of "An act to amend the title of 'An act concerning labor disputes in public utilities; providing for collective bargaining; enlarging the duties of the State Board of Mediation; and providing for seizure and operation of public utilities by the State,' approved March twenty-sixth, one thousand nine hundred and forty-six (P. L. 1946, c. 38), so that the same shall read 'An act concerning labor disputes in public utilities; providing" Title amended.

New title.

for collective bargaining; enlarging the duties of the State Board of Mediation; providing for seizure and operation of public utilities by the State; providing for compulsory arbitration of labor disputes in public utilities; and providing penalties for the violation thereof'; and to supplement the body of said act," approved April ninth, one thousand nine hundred and forty-seven (P. L. 1947, c. 47), is amended to read "An act to amend the title of 'An act concerning labor disputes in public utilities; providing for collective bargaining; enlarging the duties of the State Board of Mediation; and providing for seizure and operation of public utilities by the State,' approved March twenty-sixth, one thousand nine hundred and forty-six (P. L. 1946, c. 38), so that the same shall read 'An act concerning labor disputes in public utilities; providing for collective bargaining; enlarging the duties of the State Board of Mediation; providing for seizure and operation of public utilities by the State; prohibiting certain acts for the duration of such seizure and operation; providing for compulsory arbitration of labor disputes in public utilities; providing penalties and injunctive relief for the violation thereof; and providing for declaratory and other relief with respect thereto,' and to supplement the body of said act."

Section amended.

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

C. 34:13B-1.
Declaration
of policy.

1. It is hereby declared to be the policy of the State that heat, light, power, sanitation, transportation, communication, and water are life essentials of the people; that the possibility of labor strife in utilities operating under governmental franchise is a threat to the welfare and health of the people; that utilities operating under such franchise are clothed with public interest, and the State's regulation of the labor relations affecting such public utilities is necessary in the public interest.

It is further declared to be the policy of this State that after the taking of possession of any public utility by the State pursuant to the provisions of section thirteen hereof, such public utility shall become for purposes of production and operation a State facility and the use and operation thereof by the State in the public interest shall be considered a governmental function of the State of New Jersey.

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

Section
amended.

3. After the Governor has taken or shall take possession of any plant, equipment or facility of any public utility for the use and operation by the State of New Jersey in the public interest, pursuant to the provisions of section thirteen of the act which this act supplements, and during the continuance of such possession, the relationship between the Government of the State of New Jersey and the persons employed at such public utility, except those who elect to quit such employment, shall be that of employer and employee; and during the continuance of such possession it shall be unlawful for any person employed at such plant or facility to participate in or aid in any strike, concerted work stoppage or concerted refusal to work for the State as a means of enforcing demands of employees against the State or for any other purpose contrary to the provisions of this act.

C. 34:13B-19.
Unlawful to
strike, etc.,
during
government
possession.

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

Section
amended.

4. Within ten days after the Governor has taken or shall take possession of any plant, equipment or facility of any public utility pursuant to the provisions of section thirteen of the act which this act supplements, or within ten days after the effective date of this act, whichever is later, any and all disputes then existing between the public utility and the employees shall be submitted to a Board

C. 34:13B-20.
Dispute
submitted
to board of
arbitration.

Board of
arbitration,
how con-
stituted.

Chairman.

Governor
to appoint
members.

Governor to
appoint board.

of Arbitration to be constituted within such ten-day period as follows: the management of such public utility and the representatives of such employees shall each designate in writing one person to serve as a member of such Board of Arbitration and file such designation with the State Board of Mediation; the two persons so designated shall choose three disinterested and impartial persons and shall file such designations with the State Board of Mediation, and the five thus appointed shall compose, and act as the Board of Arbitration. Such board shall elect one of its members to serve as chairman thereof. In the event that the persons designated by the management and the representatives of the employees shall, within such ten-day period, fail to choose the three disinterested and impartial persons hereinabove referred to, and file the designations of such persons with the State Board of Mediation, then the Governor shall, upon being notified to that effect by the State Board of Mediation, forthwith appoint such three disinterested and impartial persons to serve as members of such Board of Arbitration and shall designate one of the members of such board to serve as chairman thereof.

In the event that either the management of the public utility involved or the representatives of the craft, class or group of employees shall fail or neglect to designate, as hereinabove provided, persons to represent them respectively upon such Board of Arbitration, within such ten-day period, then the Governor shall, upon being notified thereof by the State Board of Mediation, forthwith appoint five disinterested and impartial persons to constitute such Board of Arbitration and shall designate one of the members of such board to serve as chairman thereof. All appointments hereinabove required to be made shall be filed with the State Board of Mediation.

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

5. The Board of Arbitration shall promptly proceed to arbitrate the matters submitted to it. It shall promptly hold hearings and shall have the power to administer oaths and compel by subpoena the attendance of witnesses and the furnishing and production by any person of such information, books, records, papers and documents as may be necessary to a determination of the issue or issues in dispute. If a person subpoenaed to attend any hearing refuses or fails to appear or to be examined, or to answer any question or to produce any books, records, papers and documents when ordered so to do by the Board of Arbitration, such board may apply to the Supreme Court or any justice thereof, who shall have the power of the court for that purpose, to make an order returnable in not less than two nor more than five days, directing such person to show cause before the court or a justice thereof why he should not comply with the subpoena or direction or order of such board, and upon return of such order the court or justice shall examine such person, under oath, and thereupon make such order as may be required and any refusal or failure to obey such order of the court or the justice may be punished by said court or by said justice as a contempt of the Supreme Court. Both parties to the dispute shall be afforded an opportunity to be present at the hearing, both personally and by counsel, and to present such oral and documentary evidence as the Board of Arbitration shall deem relevant to the issue or issues in controversy. C. 34:13B-21. Hearings.

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

7. The findings, decision and order of the Board of Arbitration shall, unless modified or reversed on appeal, be conclusive and binding upon all of the parties to the dispute and such order of such C. 34:13B-23. Findings and decisions binding.

Order effective.	board shall be complied with by the parties in accordance with the terms thereof. The order of the Board of Arbitration shall remain in effect for a period of one year from the date thereof unless the board shall fix a lesser period therefor after having given due consideration to the duration of any prior contract between the public utility and the employees thereof, and any practice with respect to the duration of such contract existing in the same or similar industries. The Board of Arbitration may, in its discretion, with respect to any labor dispute existing at the effective date of this act, provide that any award made by it shall be retroactive to the day of the return to work by the employees or, with respect to any labor dispute occurring after the effective date of this act, to the day of the taking of possession pursuant to the provisions of section thirteen of the act which this act supplements, or to the day of the return to work by the employees, or to the day of the termination of any contract between the public utility and its employees.
May make orders retroactive.	
Appeals.	Within thirty days after the Board of Arbitration has filed with the Governor such findings, decision and order, any party to the dispute aggrieved thereby may secure judicial review thereof by appeal therefrom to the Supreme Court. A copy of the notice of appeal shall be served upon the chairman of the Board of Arbitration and upon the other party to the dispute or its attorney. In any such appeal the findings of the Board of Arbitration upon the facts, if supported by any evidence, shall be conclusive. The filing of such notice of appeal shall not supersede or stay the order of the Board of Arbitration unless the Supreme Court or a justice thereof shall so direct.
Section amended.	8. Section eight of chapter forty-seven of the laws of one thousand nine hundred and forty-seven is amended to read as follows:
C. 34:13B-24. Penalties.	8. Any lockout, authorized or engaged in, by any public utility in violation of any provision of this act, or any failure or refusal by a public utility to

abide by the terms of any decision or order made by any Board of Arbitration constituted in accordance with the provisions of this act, or any strike or concerted work stoppage, authorized or engaged in, or continued to be engaged in by any labor union or representative of any craft, class or group of employees of a public utility, or any concerted action on the part of a substantial number of the members of any labor union resulting in an interruption of the operation of any public utility, in violation of any provision of this act or in connection with any refusal to abide by the terms of any decision or order made by any Board of Arbitration constituted in accordance with the provisions of this act, shall subject such public utility and any officer or agent thereof participating or aiding therein or such labor union or representative of any craft, class or group of employees of a public utility to a penalty in the sum of ten thousand dollars (\$10,000.00) per day for each day during the period of such lockout, strike or concerted work stoppage, such penalty to be recovered in the name of the State in an action at law in any court of competent jurisdiction.

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

15. Under no circumstances shall any employee be required to render, perform or engage in any work, labor or service without his consent; nor shall anything in this act, or in any amendment thereof or supplement thereto, be construed to make the quitting of his work, labor or services by an individual employee an illegal or prohibited act; nor shall any court issue any process to compel the performance by an individual employee of such work, labor or service without his consent. C. 34:13B-15. Construing.

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

17. If any clause, sentence, paragraph or part of this act, or of any supplement thereto or amend- C. 34:13B-17. Parts severable.

ment thereof, 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, or such supplement thereto or amendment thereof, and the application of such provision 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 and such supplement thereto and amendment thereof would have been adopted had such invalid provision not been included therein.

C. 34:13B-26.

11. Notwithstanding the provisions of any other law to the contrary:

Injunctions.

The commissioner, director or other chief administrative officer of any department or agency of the Government of the State of New Jersey through which the power and authority of the Governor in the use and operation of the plant, equipment or facility of any public utility is exercised pursuant to the provisions of section thirteen of chapter thirty-eight of the laws of one thousand nine hundred and forty-six, or the Attorney-General, may file a bill in the Court of Chancery in the name of this State, on the relation of said commissioner, director or other chief administrative officer, or Attorney-General, as the case may be, for an injunction to prohibit any violation of any of the provisions of this act, or of any provision of any act which this act supplements or amends, or for any declaratory and other relief. Every such cause shall proceed in the Court of Chancery according to the rules and practice of bills filed in the name of the State of New Jersey or the Attorney-General on the relation of individuals or departments, or for the protection of property owned or operated by the State of New Jersey; and causes of emergency shall have precedence over other liti-

To have
precedence.

gation pending at the time in the Court of Chancery, and the final hearing may be had at such time and on such notice as the Chancellor shall direct; and the Court of Chancery shall have power and authority to grant such relief and make or render such orders and decrees as it shall determine to be equitable and just in the premises.

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

9. Any officer or agent of any public utility or labor union, or any person performing the duties of such officer or agent, who shall willfully violate, or aid and abet the violation of any of the provisions of this act, or attempt to do so, shall, for each such offense, be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than twenty-five dollars (\$25.00) nor more than two hundred fifty dollars (\$250.00). Each day's continuance of the violation shall constitute a separate offense. C. 34:13B-25.
Individual penalties.

13. This act shall take effect immediately.

Approved April 22, 1947.

CHAPTER 76

AN ACT making an appropriation to the Legislature.

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

1. The sum of forty thousand dollars (\$40,000.00) or so much thereof as may be necessary, is appropriated to the Legislature to provide for the payment of compensation of officers and employees and for miscellaneous expenses, including legislative manuals. Appropriation.

2. This act shall take effect immediately.

Approved April 23, 1947.

CHAPTER 77

AN ACT concerning standard time, and amending section 1:1-2.3 of the Revised Statutes.

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

Section
amended.

1. Section 1:1-2.3 of the Revised Statutes is amended to read as follows:

Standard
time.

1:1-2.3. The standard time of this State shall be the time of the seventy-fifth meridian west from Greenwich, and wherever time is named within this State, in any manner whatsoever, it shall be deemed and taken to be such standard time, except that the standard time of this State shall be one hour in advance of such prescribed time from the last Sunday in April until the last Sunday in September in each year, and except where otherwise expressed.

2. This act shall take effect immediately.

Approved April 23, 1947.

CHAPTER 78

AN ACT concerning elections, and amending section 19:50-1 of the Revised Statutes.

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

Section
amended.

1. Section 19:50-1 of the Revised Statutes is amended to read as follows:

Instruction of
district boards,
certificate.

19:50-1. Not less than ten nor more than twenty-one days before each election, the county board of elections shall cause the members of the district boards who are to serve in election districts to be

instructed in the use of the machine, and in their duties in connection therewith, and shall cause to be given to each member of each district board who has received such instruction and is fully qualified to properly conduct the election with the machine, a certificate to that effect; *provided, however*, that members of district boards of elections who have served in a district or districts in which voting machines have been used for two consecutive general elections and who have received such certificate shall not be required to receive further instruction, except in the discretion of the county board of elections. For the purpose of giving such instruction the county board of elections shall call such meeting or meetings of the district boards as shall be necessary. The members of the district board of each election district in which a voting machine is to be used, unless excused from such attendance as herein provided, shall attend such meeting or meetings as shall be called for the purpose of receiving such instruction concerning their duties as shall be necessary for the proper conduct of the election with the machine. No member of any district board shall serve in any election at which a voting machine is used unless he shall have received such instruction and is fully qualified to perform the duties in connection with the machine, and has received a certificate to that effect from the county board of elections; but this shall not prevent the appointment of a person as a member of the district board to fill a vacancy in an emergency, as now provided by law.

Proviso.

Attendance
required.

2. This act shall take effect immediately.

Approved April 25, 1947.

CHAPTER 79

AN ACT concerning elections, and amending section 19:49-4 of the Revised Statutes.

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

Section amended.

1. Section 19:49-4 of the Revised Statutes is amended to read as follows:

To provide instruction ballots.

19:49-4. a. The officer or officers whose duty it may be under this subtitle to provide and furnish official ballots for any polling place where a voting machine is to be used shall also provide two sample ballots or more, or instruction ballots, which sample or instruction ballot shall be arranged in the form of a diagram showing such portion of the face of the voting machine as it will appear after the official ballots are arranged thereon or therein for voting on election day. Such sample or instruction ballots shall be open to the inspection of all voters on election day, in all elections where voting machines are used.

Sample ballots mailed to voters.

b. There shall be furnished a sufficient number of sample ballots, a facsimile of the face of the machine, of a reduced size, one of which sample ballots shall be mailed to each registered voter. Any reference to sample ballot envelopes in any section of this Title to the contrary notwithstanding, in all counties where voting machines are used and wherein the commissioner of registration has the facilities to mail out sample ballots direct to the registrants of such county and has elected so to do, as otherwise in this Title provided, the commissioner of registration in any such county may request the county clerk of such county to have the sample ballots prepared in the manner following:

Preparation of sample ballots.

(1) The county clerk shall have said sample ballots for all general and special elections printed in such manner that, when folded, the

words "Official General Election Sample Ballot" or as the case may be, shall appear on the reverse side thereof, together with the words "If not delivered in two days return to the commissioner of registration. Do Not Forward. Return Postage Guaranteed" over the return address of the commissioner of registration.

(2) The county clerk in drawing the specifications for the printing of the official primary ballots shall include the requirement that the municipal clerks shall have primary sample ballots printed in such manner that, when folded, the words "Official Primary Election Sample Ballot" shall appear on the reverse side thereof, together with the words "If not delivered in two days return to the commissioner of registration. Do Not Forward. Return Postage Guaranteed" over the return address of the commissioner of registration.

(3) Five sample ballots shall be posted as now required by law.

c. For all general and special elections the county clerk, and for all primary and municipal elections the municipal clerks, shall, at least thirty days preceding any such election, make the arrangements necessary to be made with the postmaster or postmasters in their respective counties and municipalities to have the said sample ballots mailed under the postal laws and regulations, and forthwith notify the said commissioner of registration in writing to that effect.

Arrangements
for mailing.

2. This act shall take effect immediately.

Approved April 25, 1947.

CHAPTER 80

AN ACT concerning the formation of insurance companies, and amending sections 17:17-4 and 17:17-6 of the Revised Statutes.

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

Section
amended.

1. Section 17:17-4 of the Revised Statutes is amended to read as follows:

Certificate
of intention,
contents.

17:17-4. The persons so proposing to incorporate shall sign a certificate stating their intention to form a corporation under chapters seventeen to thirty-three of this Title (17:17-1 et seq.), and setting forth:

a. The name of the company, which shall contain the words "insurance company," except that a company which may be formed for any or all of the purposes specified in paragraphs "d" to "o" of section 17:17-1 of this Title may adopt a name containing the words "insurance company," "indemnity company," "casualty company," "surety company" or "guaranty company." The name shall not so closely resemble that of any existing corporation as to be likely to mislead the public, and shall be approved by the commissioner;

b. The place where its principal office in this State is to be located;

c. The kind or kinds of insurance proposed to be transacted by the company, stating the paragraphs of section 17:17-1 of this Title authorizing the same;

d. Whether the company is to be a stock company or a mutual company;

e. If a stock company, the amount of its capital stock, which shall not be less than two hundred thousand dollars (\$200,000.00), the number of shares into which it is divided, and the par value of each share; and

f. The period, if any, limited for the duration of the company.

The certificate may contain such other particulars as may be necessary to explain and make manifest or limit the objects and purposes of the corporation, and such other provisions not inconsistent with chapters seventeen to thirty-three of this Title (17:17-1 et seq.), or the Constitution or laws of this State, which the incorporators may choose to insert for the conduct of the affairs of the company, the regulation of its business, or for defining, regulating and limiting the powers of the directors or stockholders.

Other
information.

2. Section 17:17-6 of the Revised Statutes is amended to read as follows:

Section
amended.

17:17-6. No stock insurance company organized under chapters seventeen to thirty-three of this Title (17:17-1 et seq.), shall commence business unless it has a capital stock of at least two hundred thousand dollars (\$200,000.00), actually paid in cash and additional capital stock of one hundred thousand dollars (\$100,000.00), actually paid in cash, for each kind of insurance more than one which it may transact as specified in section 17:17-3 of this Title, and also a surplus actually paid in cash equal to one-half of the capital stock. A company shall not commence the kind of business specified in paragraph "g" of section 17:17-1 of this Title, unless it has a capital stock of at least two hundred and fifty thousand dollars (\$250,000.00) actually paid in cash, and an additional capital stock of one hundred thousand dollars, actually paid in cash, for every other kind of insurance which it is authorized to transact, and also a surplus actually paid in cash equal to one-half of the capital stock. In case of a stock insurance company formed under paragraph "h" of section 17:17-1 of this Title by certificate filed in the Department of Banking and Insurance prior to January first, one thousand nine hundred and forty-seven, the company shall be entitled to commence business within the time limited by section

Minimum
capitalization
requirements.

17:17-10 of this Title if it has a capital stock of at least one hundred thousand dollars (\$100,000.00), actually paid in cash, and also a surplus actually paid in cash equal to one-half of such capital stock.

3. This act shall take effect immediately.

Approved April 28, 1947.

CHAPTER 81

AN ACT concerning the recording and cancellation of mortgages made to building and loan associations, and amending section 46:18-8 of the Revised Statutes.

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

Section
amended.

1. Section 46:18-8 of the Revised Statutes is amended to read as follows:

Cancellation
of mortgage.

46:18-8. No mortgage given to any building and loan association shall be canceled of record by the county recording officer of any county unless there shall be indorsed upon such mortgage an authorization to cancel the same, over the signatures of at least two officers or assistant officers of such association, with its corporate seal affixed thereto. Upon cancellation, or satisfaction as hereinafter set forth, of such mortgage, the recording officer forthwith shall notify, in writing, the Commissioner of Banking and Insurance, that such mortgage has been canceled, or satisfied and the date of recording of such cancellation, or satisfaction. Said notice shall contain an adequate description of such mortgage, including the names of the parties, date of recording, the book and page wherein such mortgage is recorded, in order to properly identify the same.

Contents
of notice.

When, however, the cancellation of any mortgage mentioned in this section has been authorized and the mortgage has been lost or destroyed before cancellation, the said officers may, under the seal of such corporation, make and deliver a satisfaction piece, duly acknowledged, to which there shall be attached an affidavit by some person having knowledge of such loss or destruction and setting forth the facts thereof; and, upon the production of such satisfaction piece, with the affidavit attached thereto, to the county recording officer wherein the original mortgage is recorded or registered, such production shall be warrant and authority in law for the cancellation of such lost or destroyed mortgage.

Cancellation
when mort-
gage is lost.

Any mortgage mentioned in this section, after the assignment or transfer thereof by any building and loan association, may, the assignment having been duly recorded, be canceled by the assignee of such mortgage, or any subsequent assignee, whose assignment has been duly recorded, in the same manner as a mortgage given to an individual or a corporation other than any such building and loan association.

Cancellation
by assignee.

2. This act shall take effect immediately.
Approved April 28, 1947.

CHAPTER 82

AN ACT concerning motor vehicles, and amending
section 39:3-64 of the Revised Statutes.

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

1. Section 39:3-64 of the Revised Statutes is amended to read as follows:

Section
amended.

39:3-64. During the times when lighted lamps are required, no person shall drive on any highway,

Commercial
vehicles to
carry warning
flares, etc.

outside of a business or residence district, any commercial motor vehicle weighing over five thousand pounds unladen or any omnibus having a carrying capacity of over ten passengers except an omnibus operated on a route under the jurisdiction of the Board of Public Utilities Commissioners unless there shall be carried ready for immediate use in such vehicle at least three portable flares, electric lanterns, red reflector emergency warning devices, or other devices each capable of producing a warning visible from a distance of at least five hundred feet for a period of at least twelve hours, except that a motor vehicle transporting inflammable liquids in bulk, compressed inflammable gases or explosives as a cargo or part of a cargo shall carry red electric lanterns, or red reflector emergency warning devices. Every such flare, lantern, red reflector emergency warning device or other device shall be of a type approved by the commissioner.

To place warning signals.

At the times when lighted lamps are required, whenever any motor-drawn vehicle or any vehicle of a type which requires the carrying of approved warning devices or any combination of such vehicles shall become disabled on any highway outside of a business or residence district and such vehicle or combination of vehicles cannot immediately be removed from the highway or if any such vehicle or combination of vehicles is not disabled but may constitute a menace because of its presence upon the highway, the driver or other person in charge of such vehicle or combination of vehicles shall cause approved warning devices, lighted flares or lighted red electric lanterns or red reflector emergency warning devices, to be placed upon the highway; one in the center of the lane of traffic occupied by the vehicle or combination and approximately one hundred feet distant therefrom, one approximately one hundred feet from the vehicle or combination in the opposite direction and one at the traffic side of the vehicle or combination, and they shall be so placed as to afford ample

warning to other users of the highway. When there is an obstruction to view or on a curve or crest of a hill, the warning device in that direction shall be so placed as to afford ample warning to other users of the highway but in no case less than one hundred nor more than three hundred feet from the vehicle or combination.

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

Approved April 28, 1947.

CHAPTER 83

AN ACT to authorize the State Department of Institutions and Agencies to receive from the Federal Government certain moneys for the purpose of making payments for construction of hospitals, including public health centers and related facilities, within the State and for an inventory and survey in connection therewith, under or pursuant to any Federal law providing for the payment of such moneys, and to provide for the designation of a State agency as the sole agency of the State for the carrying out purposes of such law and empowering such State agency so to act.

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

1. The State Department of Institutions and Agencies is hereby authorized to receive from the Federal Government any moneys which the Federal Government shall offer to the State of New Jersey to assist the State to inventory its hospitals, to survey the need for construction of hospitals, to develop a program for construction of public

C. 30:1-19.
Authorized
to accept
federal aid.

and other nonprofit hospitals and to construct such hospitals in accordance with such program, and generally for all the purposes for which any such moneys shall be offered under or pursuant to any Federal law heretofore or hereafter enacted authorizing grants to the States for such purposes or for similar purposes, including payment to political subdivisions of, and public or other nonprofit agencies in the State. As used in this act, the term "hospitals" includes public health centers and related facilities.

Hospitals
defined.

C. 30:1-20.
Administering
agency.

2. In the event that under or pursuant to any such Federal law it is required that a State agency in this State be designated to carry out the purposes of such law, including the administration, or the suspension of administration, of any plan pursuant thereto, the Department of Institutions and Agencies, or such other State agency as may be designated by the Governor, shall be the sole agency in this State for carrying out such purposes. The Governor is hereby authorized to make such designation, and the Department of Institutions and Agencies, or such other agency in the State so designated is hereby empowered to act as the sole agency in the State for carrying out such purposes.

C. 30:1-21.
Application
for funds.

3. The State agency so designated, acting as such agency, is hereby authorized to submit to the surgeon-general of the United States Public Health Service applications for funds for carrying out the purposes of any such Federal law, and to administer or supervise the administration of any plans or otherwise act thereunder.

C. 30:1-22.
Use of
moneys.

4. The Department of Institutions and Agencies shall accept and receive as custodian any and all grants and money awarded for assistance in this State under or pursuant to any such Federal law. All moneys so received shall be deposited by the Department of Institutions and Agencies in a special fund or funds and shall be used exclusively for the purposes of any such Federal law. Such money shall be paid from such fund or funds in

exactly the same manner as other funds of the State are expended upon vouchers certified or approved by the head of the State agency designated as the sole agency of this State for carrying out the purposes of such Federal law or other duly authorized representative of such agency, as provided by law.

5. This act shall take effect immediately.

Approved April 28, 1947.

CHAPTER 84

AN ACT to authorize and permit the conversion of any domestic assessment life insurance company into a mutual life insurance company, and supplementing chapter thirty-five of Title 17 of the Revised Statutes.

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

1. Any assessment life insurance company incorporated under chapter one hundred forty-seven of the laws of one thousand eight hundred and ninety-seven, now chapter thirty-five of Title 17 of the Revised Statutes, which has transacted an insurance business for at least ten consecutive years, next preceding, and which has outstanding contracts of insurance on which the yearly premiums amount to at least fifty thousand dollars (\$50,000.00) for each kind of insurance which has been transacted, may become a mutual life insurance company by complying with all requirements for the issuance of a certificate of authority to a newly organized mutual life insurance company, except those requirements contained in Revised Statutes, section 17:17-1 specifying the number of incorporators and except that wherever reference

C. 17:35-14.1.
May convert
into a mutual
company.

is made to the persons proposing to incorporate the new mutual life insurance company such reference shall be construed to mean the entire board of directors of the assessment life insurance company and except the requirements of Revised Statutes, section 17:17-7; *provided*, that:

Proviso.

Plan adopted
by majority.

(a) A plan of conversion to a mutual life insurance company shall be adopted by a majority vote of the board of directors of the assessment life insurance company.

Approval by
policy holders.

(b) Such plan shall be approved by a majority vote of all members, certificate or policy holders present in person or by proxy at a special meeting of members, certificate and policy holders of the assessment life insurance company held for that purpose. Notice of such meeting shall be published at least four times, at intervals of not less than one week, the first publication to be not more than sixty days and the last publication not less than fifteen days prior to such meeting, in at least one newspaper published in each county in the State of New Jersey. Proof of such publication shall be filed with the Commissioner of Banking and Insurance. Immediately after the election of tellers, at least three in number, at the special meeting of members, certificate and policy holders, the presiding officer, designated in the by-laws, shall cause the polls to be opened for reception of votes by the tellers and shall note and announce the time of opening the polls which shall from that time remain continuously open for the reception of votes for a period of not less than four hours after which the polls shall be closed and the presiding officer shall make announcement to that effect. No other business shall be transacted at this meeting. A majority of the tellers shall have power to determine all questions concerning the verification of ballots, ascertaining the validity thereof, the qualifications of voters and the canvass of the vote. At the conclusion of the canvass, the tellers shall report in writing to the secretary of the corporation the result thereof and he shall

thereupon make a certificate, duly sworn to, setting forth the result of the voting as shown by such report and shall file the same with the Commissioner of Banking and Insurance.

(c) Such plan shall be submitted to the Commissioner of Banking and Insurance for his approval, which shall be granted unless in his judgment such plan of conversion would not be in the best interest of the members, certificate and policy holders of the assessment life insurance company.

Approval
of plan by
commissioner.

2. Upon fulfillment of the requirements prescribed in section one hereof:

C. 17:35-14.2.

(a) The mutual life insurance company shall be subject to the same requirements as to reserves as any other mutual life insurance company transacting the same kind or kinds of insurance and shall be relieved from the requirement to hold reserves or funds determined in any other manner, and specifically shall be relieved from the requirement to hold any reserves or funds held by the assessment life insurance company in accordance with Revised Statutes, Title 17, chapter thirty-five and chapter forty-five, as amended and supplemented.

Reserve
requirements.

(b) All persons whose life or health is insured under the terms of certificates, policies and contracts, issued or assumed by the assessment life insurance company, which are in force at the date of conversion or are thereafter duly reinstated, shall be deemed to be members and policy holders of the mutual life insurance company, without change in the terms of their several contracts except as prescribed herein, or in the plan of conversion.

Policies and
contracts to
continue.

(c) All rights of assessment, or reduction in benefits in lieu of assessment, prescribed in the certificate of incorporation or by-laws of such assessment life insurance company or under the terms of any certificate, policy or contract, shall be cancelled. The word assessment means the right to require the payment of a sum in addition to the weekly or other periodical dues, contributions,

Assessments
rights
cancelled.

premiums and fees required under the terms of any certificate, policy or contract.

3. This act shall take effect immediately.

Approved April 28, 1947.

CHAPTER 85

AN ACT concerning municipal airports, and amending section 40:8-2 of the Revised Statutes.

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

Section
amended.

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

Municipal
airports,
operation.

40:8-2. The governing body of any municipality may acquire, establish, construct, own, control, lease, equip, improve, maintain, operate and regulate airports or landing fields for the use of airplanes and other aircraft within or without the limits of such municipality and may use for such purpose or purposes any property, owned or controlled by such municipality, suitable therefor.

2. This act shall take effect immediately.

Approved April 28, 1947.

CHAPTER 86 .

AN ACT concerning consolidated school districts, supplementing chapter five of Title 18 and repealing sections 18:5-14 to 18:5-17, both inclusive, of the Revised Statutes and "An act relating to the public schools of this State, and supplementing chapter five of Title 18 of the Revised Statutes," approved May seventh, one thousand nine hundred and thirty-eight (P. L. 1938, c. 144).

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

1. Whenever the boards of education of two or more school districts, governed by the provisions of chapter seven of Title 18 of the Revised Statutes, in the same county shall deem it to be advisable to unite in creating a consolidated school district, each of said boards shall call and conduct an election, on a day and at a time designated by the county superintendent of schools, in the manner provided for the conduct of school elections by chapter seven of Title 18 of the Revised Statutes and shall submit the question of consolidating said school districts into a consolidated school district to the voters of the districts.

C. 18:5-17.1.
Referendum on
consolidation.

2. If at said election the number of votes cast in each of the districts in favor of the consolidation exceeds the number of votes cast against the same, the county superintendent of schools shall immediately notify each of the boards of education of the consolidating districts of the result of the vote and the said districts shall be consolidated as provided in this act and the consolidation shall become effective on the first day of July next ensuing such election.

C. 18:5-17.2.
Notice of
consolidation.

C. 18:5-17.3.
Regional
districts
dissolved.

3. Whenever all of the constituent districts comprising any regional school district or districts shall determine to consolidate in the manner provided by this act, the regional school district or districts shall be dissolved on the effective date of such consolidation.

C. 18:5-17.4.
Name of
consolidated
districts.

4. The board of education of each consolidated district shall be called "The Board of Education of the of (here insert the name of the municipality containing the consolidating district which has the larger or largest amount of taxable property as ascertained from the last published report of the State Commissioner of Taxation and Finance,) in the county of"

C. 18:5-17.5.
Adoption of
shorter name.

5. If a shorter or different name for the board of education of a consolidated district, heretofore or hereafter created, appears to be desirable to the board of education of the district, another title may be adopted by the board with the approval of the State Board of Education, which approved title shall be certified by the State Board under the hand of its secretary to the Secretary of State and the new title so approved and certified shall become the corporate title of the district.

C. 18:5-17.6.
Corporate
body.

6. The board of education of each consolidated district shall be a body corporate and shall have all the powers and duties and be subject to the same restrictions as a board of education in a school district governed by the provisions of chapter seven of Title 18 of the Revised Statutes, as amended and supplemented, except as otherwise provided in this act; and from and after the effective date of consolidation of all of the property and assets of the consolidating districts and of any regional school district or districts dissolved by reason of such consolidation shall vest in the consolidated district and the consolidated district shall be subject to the contracts, debts, and other obligations of the consolidating districts and of such regional district or districts.

7. The board of education of a consolidated district shall consist of nine members and the terms of office of members of the board, except the members of the first board and the members of the first elected board, shall be for three years, and vacancies for unexpired terms shall be filled in accordance with the provisions of chapter seven of Title 18 of the Revised Statutes.

C. 18:5-17.7.
Membership.

8. The membership of the board of education of each consolidated school district shall, except as otherwise provided by this act, be apportioned by the county superintendent of schools among the several consolidating school districts as nearly as may be according to the number of their inhabitants, as shown by the last published Federal census report, but each district shall have at least one member. The apportionment of membership shall continue until changed by reapportionment by the county superintendent, which shall be made, when required, immediately succeeding each published Federal census report but the members of the board in office at the time of any reapportionment shall continue in office for their unexpired terms.

C. 18:5-17.8.
Apportionment
of membership.

9. The board of education of a consolidated district shall provide annually for the election of members of the board of education of such consolidated district within the territorial limits of the former constituent school districts to succeed the members whose terms shall expire on the first Monday following the annual meeting in February.

C. 18:5-17.9.
Annual
election.

10. The board of education of a consolidated district shall organize annually in the manner prescribed for school districts governed by chapter seven of Title 18 of the Revised Statutes, except as hereinafter provided for organization of the first board of education of such district.

C. 18:5-17.10.
Organization.

11. The board shall appoint a suitable person, who may be a member of the board, as custodian of school moneys and may fix his salary. The custodian shall have the powers and be charged with the duties conferred or imposed upon custodians of school moneys in school districts governed by chap-

C. 18:5-17.11.
Custodian of
school moneys.

ter seven of Title 18 of the Revised Statutes and he shall give bond in such amount, according to such terms, as are required by law, of custodians of school moneys of school districts, and with such surety as the board shall direct, but the bond shall be for a sum not less than the amount annually apportioned to the board by way of State aid for the schools of said consolidated district.

C. 18:5-17.12.
Teachers not
affected by
consolidated.

12. All principals, teachers, and employees in the public schools of the consolidating school districts and of any regional district or districts abolished by the consolidation shall, when the consolidation becomes effective, be principals, teachers and employees, respectively, in the public schools of the consolidated district, and their tenure and pension rights under the State laws shall not be affected by consolidation or abolition or by any of the provisions of this act.

C. 18:5-17.13.
Polling places.

13. Meetings and elections for the purpose of raising annual appropriations or for issuing bonds of each consolidated district for the purchase of land or construction or repair of buildings for school purposes shall be called and conducted by the board of education of the consolidated district in the manner provided for such meetings and elections by chapter seven of Title 18 of the Revised Statutes, but there shall be at least one polling place located within the territorial limits of each of the former constituent school districts and any appropriation must be authorized by a majority of the total votes cast thereon in all of the territory of the consolidated school district.

C. 18:5-17.14.
Apportionment
and assessing
of amounts
needed.

14. The amounts authorized to be raised for annual or special appropriations, or for interest, or for the redemption of bonds shall be apportioned among the taxing districts, comprising the former constituent school districts from which the consolidated district was constituted in the proportion that the ratables of each taxing district bears to the total ratables within the consolidated school district, and the amount of money thus determined to be raised within the respective taxing

districts shall be certified to the county board of taxation and to the assessors of the several taxing districts and the amount thus apportioned to each taxing district shall be assessed, levied and collected in the same manner and at the same time as other taxes are assessed, levied and collected therein and shall be paid upon requisitions, as provided by chapter seven of Title 18 of the Revised Statutes.

15. The board of education of each of the consolidating school districts consolidated under this act and the boards of education of any regional school district or districts dissolved by reason of the consolidation shall continue to conduct the schools of the respective districts and regional districts until the effective date of the consolidation when the terms of office of all of the members, officers and members of the boards of said school districts and regional school district or districts shall terminate, except as otherwise provided in section eleven of this act.

C. 18:5-17.15.
Schools to
continue.

16. The provisions of this act shall be applicable to all consolidated school districts heretofore and hereafter created, except the provisions relating to apportionment of the membership on the boards of education of such consolidated districts provided for in section seven of this act, which shall be applicable only to consolidated school districts created pursuant to this act and to the continuation of the apportionment of membership of the boards of education of consolidated school districts heretofore created in which apportionment has heretofore been made pursuant to law.

C. 18:5-17.16.
Application
of act.

17. Any consolidated school district heretofore created, in which membership on the board of education has not been determined by apportionment, may adopt the apportionment provisions of this act at any annual school meeting by approval of a majority of the votes cast on such proposition.

C. 18:5-17.17.
May adopt
apportionment
provisions.

The proposition shall be placed on the ballots to be used at such annual school meeting whenever a petition, requesting the submission of such prop-

Petition.

osition, signed by not less than five per centum (5%) of the registered voters of the consolidated district, shall have been filed with the district clerk at least twenty days prior to the date fixed for the holding of such annual school meeting.

Superintendent
to make
apportionment.

If such proposition shall be adopted, the county superintendent of schools shall apportion the membership of the board of education of the consolidated district in accordance with section seven of this act and in manner similar to the provisions of section twenty-five of this act, beginning with the next annual meeting and as the terms of the respective members of the board in office shall expire, and thereafter the members of said board shall be elected accordingly.

C. 18:5-17.18.
Members,
appointment.

18. The first board of education of a consolidated district created under this act shall be composed of nine members who shall be appointed by the county superintendent of schools with reasonable promptness following the election at which it is determined to consolidate from among the members of the boards of education of the consolidated districts, according to the apportionment among the districts provided for in section seven of this act.

C. 18:5-17.19.
Organization.

19. The first board of education of a consolidated district created under this act shall forthwith organize by the election of one of its members as president, and one of its members as vice-president, and shall appoint a district clerk and a custodian of school moneys for the consolidated district who may be members of the board.

C. 18:5-17.20.
Terms of first
members.

20. The members of the first board of education of such a consolidated district, and all officers appointed by them, including the district clerk and custodian of school moneys, shall serve until the first Monday following the annual school meeting in February next succeeding the effective date of the consolidation when their terms of office shall terminate.

C. 18:5-17.21.
Empowered
to function.

21. The first board of education of such a consolidated district may do all the acts and things

which may be necessary for the proper organization and functioning of the public schools of the consolidated district during the school year next succeeding the effective date of the consolidation and to that end, may act prior to the effective date of the consolidation.

22. If such consolidated district is of such population that the establishment of a board of school estimate therein is required by law, such board of school estimate shall be appointed immediately after the organization of the first board of the consolidated district.

C. 18:5-17.22.
Board of
estimate,
appointment.

23. If the first board of education of such a consolidated district shall be appointed on or before the first day of January in any year, the budget for the ensuing school year shall be prepared, the hearing provided for and conducted thereon, and the amount of money for the use of the public schools of the consolidated district for said ensuing year shall be fixed, determined and appropriated by the board and the legal voters of the district, or by the board and a board of school estimate for the district, as the case may be, as though the consolidation were effective as of said first day of January.

C. 18:5-17.23.
Budget, hear-
ings by board
appointed prior
to January 1.

24. If the vote favorable to consolidation under this act occurs subsequent to the first day of January but on or before the day of the annual school meeting in any year, the budget for the ensuing school year shall be prepared, the hearings provided for and conducted thereon, and the amount of money for the use of the public schools of each of the consolidating districts for said ensuing school year shall be fixed, determined and appropriated, by said districts as if a vote favorable to consolidation had not occurred; but the money so appropriated shall be used by the first board of the consolidated district for the use of the schools of the consolidated district.

C. 18:5-17.24.
Budget, hear-
ings by board
appointed
subsequent to
January 1.

25. The said first board of education of a consolidated district created under this act is authorized to incur such expenses as may be necessary

C. 18:5-17.25.
Boards
expenses.

in the performance of its duties under this section which shall be borne by the consolidating districts in the proportion that the taxable property within each bears to the whole taxable property within the consolidated district, and such board may, before or after the effective date of the consolidation, request additional funds for the ensuing school year, either through a board of school estimate or at a special election of the voters of the consolidated district, as the case may be, as in the manner prescribed in chapter seven of Title 18 of the Revised Statutes.

C. 18:5-17.26.
Terms of
elected boards.

26. The first elected board of education of a consolidated school district created under this act shall be composed of three members who shall be elected for terms of three years, three members who shall be elected for terms of two years and three members who shall be elected for terms of one year, and the county superintendent of schools shall apportion such terms among the former districts in such manner as to provide as nearly as may be that each district to the extent of the membership to which it is entitled shall be entitled to memberships for each of the terms beginning with the apportionment to each of such districts in alphabetical order, first, of the three-year terms and, thereafter, of the two-year terms and the one-year terms, with continuation in such rotation until all such terms have been apportioned among the former districts, and shall inform the first board of education of the consolidated school district of such apportionment of terms and the members of such first elected board shall be elected and shall hold office accordingly.

C. 18:5-17.27.
Funds and
property
delivered to
district clerk.

27. Upon the effective date of the consolidation, the officers having custody of the funds of the consolidating districts and any regional district or districts dissolved by reason of said consolidation shall deliver all of said funds in their possession to the custody of the district clerk of the board of the consolidated district who shall give his receipt therefor and shall immediately turn the same over

to the custodian of school moneys of the consolidated district. All personal property, books, papers, vouchers and other documents belonging to the consolidating districts shall be transferred to said district clerk who shall cause a complete inventory to be made of all assets, real and personal, received by the consolidated district.

28. The first board of education of a consolidated district created under this act shall cause an audit and settlement of the accounts of all officers of the consolidating districts to be made forthwith and the official bonds of such officers shall continue in full force and effect until such audit has been completed and satisfactory final settlement of said accounts has been made. C. 18:5-17.28. Audit of accounts.

29. Sections 18:5-14 to 18:5-17, both inclusive, of the Revised Statutes and "An act relating to the public schools of this State, and supplementing chapter five of Title 18 of the Revised Statutes," approved May seventh, one thousand nine hundred and thirty-eight, are repealed. C. 18:5-17.29. Sections repealed.

30. This act shall take effect immediately.

Approved April 28, 1947.

CHAPTER 87

AN ACT authorizing the governing body of any municipality in this State to sell and convey lands with or without buildings thereon to any organization or association of veterans of any war in which the United States has or shall have been engaged when said lands and buildings are not needed for municipal purposes.

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

1. When the governing body of a municipality shall determine that all or any part of a tract of C. 40:60-40.1. Authorized to make conveyance.

Proviso.

land, with or without buildings erected thereon, owned by the municipality; is not then needed for municipal purposes, it may by resolution authorize the sale and conveyance of same or any part thereof to any nationally chartered organization or association of veterans of any war in which the United States has or shall have been engaged, for such consideration, and upon such conditions, terms and limitations as such body shall deem advisable; *provided, however*, that such lands or buildings shall be used only for the purposes of the organization or association of veterans and not for commercial business, trade or manufacture. If the property is no longer used for the purpose for which it was conveyed it shall revert back to the municipality.

2. This act shall take effect immediately.

Approved April 28, 1947.

CHAPTER 88

AN ACT making an emergency appropriation for the purchase of smallpox vaccine and the distribution thereof by the State Department of Health.

Preamble.

WHEREAS, An emergency exists by reason of the scarcity of smallpox vaccine in this State; and

Preamble.

WHEREAS, It is important that as large a number of persons as possible be vaccinated against smallpox in view of prevailing health conditions; therefore,

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

Appropriation.

1. The sum of seventy-five thousand dollars (\$75,000.00) hereby is appropriated to the State

Department of Health for the purchase of small-pox vaccine and the distribution thereof, free or upon such terms as the State Department of Health shall determine.

2. There is established in the State treasury a revolving account to which said sum of seventy-five thousand dollars (\$75,000.00), together with any receipts obtained, from time to time, from the sale of said vaccine shall be credited, which sums may be used from time to time, without further appropriation, to carry out the purposes of this act and no balance thereof shall fall into the unappropriated balances of the State treasury until the Director of Health shall certify to the State Commissioner of Taxation and Finance that said emergency no longer exists.

Vaccine revolving account established.

3. This act shall take effect immediately.

Approved April 28, 1947.

CHAPTER 89

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

Extension of time granted.

Proviso.

- Proviso. hundred and eighty-six; *provided, further*, that this act shall not apply to any corporation unless such corporation shall first, and as the condition precedent to the exercise of any power granted by this act, file in the office of the Secretary of State an agreement, to be approved by the Governor and Attorney-General, waiving all right of exemption from taxation and from privileges and advantages arising from any law or contract, if any there be, establishing any special mode of taxation of any such corporation, and the further agreement to be bound by any general law of this State now in existence or that may be hereafter passed taxing such corporations as are now authorized to be taxed by the Legislature of the State under any general law, and further agreeing that the exercise of any power granted by this act shall not in any way affect the rights of this State, if any there exist, to take the property of such corporations under any existing law of this State, and agreeing further that all laws affecting such corporations shall be subject 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
- Public act. 2. This act shall be deemed a public act and shall take effect immediately.
Approved April 30, 1947.

CHAPTER 90

AN ACT to amend "An act concerning savings and loan associations and building and loan associations, and revising chapter twelve of Title 17 of the Revised Statutes," approved April fourth, one thousand nine hundred and forty-six (P. L. 1946, c. 56).

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

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

Section
amended.

78. Loans. Investments in loans may be made as follows:

C. 17:12A-78.
Loans:

(1) Mortgage loans. In direct reduction, sinking fund, and straight mortgage loans. Each such loan shall be evidenced by an obligation and secured by a mortgage which shall be a first lien, except as to current taxes, on real estate in this State, or outside of the State if located within fifty miles of the principal office of the association. Such loans shall be on real estate used or to be used wholly or partially for dwelling purposes. An association may hold one or more subsequent mortgages on real estate; *provided*, it also holds all prior encumbrances, except current taxes, thereon. If the proceeds of any such loan are used in whole or in part to improve the mortgaged real estate, they may be advanced in installments as the construction of a building or the making of other improvements thereon progresses and the value of the contemplated improvement may be included in arriving at the appraised value of the property.

Mortgage
loans;

Proviso;

Each direct reduction loan shall require periodic payments sufficient to pay the principal and interest of the loan in full in a period of twenty years or less. Any association may by agreement with the borrowing member reduce the amount of

Periodic
payments;

periodical payments, but the amount of the periodical payments thereafter required shall be sufficient to pay the balance of the loan and interest thereon within a period of twenty years or less from the time of making such agreement. Each sinking fund loan shall require periodical payments, at least monthly, on an account pledged as collateral security for such loan which shall be sufficient to pay such loan in a period of twenty years or less. Any association may by agreement with the borrowing member provide for the application of such account to the principal of the loan and for a reduction in the periodical payments required on an account thereafter; *provided, however*, that such periodical payments thereafter required shall be sufficient to retire the loan in a period of twenty years or less from the time of the making of such agreement. The amount of any direct reduction loan or sinking fund loan, less the withdrawal value of any account which may be pledged as collateral security therefor, shall not exceed eighty per centum (80%) of the value of such real estate as found by appraisal at the time when the loan is granted.

Term and
amount
of loan;

The term of any straight mortgage loan shall not exceed three years. The amount of any such straight mortgage loan shall not exceed fifty per centum (50%) of the value of the property as found by appraisal at the time the loan is granted. An association may renew any straight mortgage loan held by it for a period not exceeding three years and for amounts not in excess of fifty per centum (50%) of the value of the real estate as found by appraisal at the time of such renewal. The total amount invested in straight mortgage loans by any association shall not exceed ten per centum (10%) of its assets at the time any such investment is made.

Improvement
and repair
loans;

(2) Improvement or repair loans. In additional loans to members for the repair, alteration, or improvement of real estate owned by such members, upon which the lending association already holds

a mortgage lien. If the mortgage already held by the lending association secures payment of a direct reduction loan, such additional loan shall not exceed the sum of one thousand dollars (\$1,000.00) or the amount which has been repaid in reduction of the principal of such mortgage loan, whichever is less. If the mortgage already held by the lending association secures payment of a sinking fund loan, such additional loan shall not exceed the sum of one thousand dollars (\$1,000.00) or the withdrawal value of the installment account which is pledged as collateral security for the payment of such sinking fund loan, whichever is less. Each such additional loan shall be evidenced by an obligation which shall state the terms on which such loan is made, and the amount thereof shall be added to the amount due on the association's mortgage against such real estate, and payment thereof shall be secured thereby. All persons who acquire any rights in, or liens upon, the mortgaged real estate subsequent to the recording of any association's mortgage shall hold such rights and liens subject to the association's right to make such additional loans. For the purpose of such additional loans, no search or examination of the title to the mortgaged real estate shall be required. The power to make such additional loans is in addition to, and not to the exclusion of, the power to make any other lawful loan.

(3) Camp meeting leaseholds. In any obligation secured by first mortgage on any leasehold estate of real estate in this State of any camp meeting association, to the extent authorized by, and subject to, the limitations and restrictions contained in section 17:2-1 of the Revised Statutes.

(4) Purchase of loans. In the purchase of any loan which an association is authorized to make.

(5) Account loans. In loans secured by a pledge of a member's account. No such loan shall exceed the withdrawal value of the pledged account, less interest thereon for a period of six months.

Camp meeting
leaseholds;

Purchase
of loans;

Account
loans;

Guaranteed
loans.

(6) Guaranteed loans. In loans guaranteed or insured in whole or in part by the United States of America or the State of New Jersey any instrumentality or agency of either of them, or for which a commitment to so guarantee or insure has been made. Such loans shall not be subject to the limitations defined in section seventy-eight subdivision (1) and section eighty-two of this act. Such loans shall include only those which are made for the purchase or improvement of real estate, or for the construction, alteration, repair, or improvement of buildings erected thereon, used or to be used, wholly or partially for dwelling purposes, in which case they may or may not be secured by mortgages; or those which may be made for any other purpose provided they be secured by a mortgage on real estate used or to be used wholly or partially for dwelling purposes. The real estate in connection with which any such loan is made shall be located in this State, or outside of the State if located within fifty miles of the principal office of the association.

2. This act shall take effect immediately.

Approved April 30, 1947.

CHAPTER 91

AN ACT to amend and supplement "An act providing for the escheat of unclaimed bank deposits," approved April twentieth, one thousand nine hundred and forty-five (P. L. 1945, c. 199).

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

Section
amended.

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

C. 17:9-19.
Unclaimed
bank deposit.

2. "Unclaimed bank deposit" means and includes an unpaid balance of money to the credit or

in the name of a maker or payee of a certified check held by a bank, together with all interest accrued thereon whether credited thereto or not on the records of the bank, and which after a period of twenty years has remained unclaimed, and also means and includes an unpaid balance of money to the credit or in the name of a depositor, in any capacity whatsoever, with a bank in any demand or time deposit account, together with all interest accrued thereon whether credited thereto or not on the records of the bank, which after a period of twenty years has remained unclaimed exclusive of the following:

(a) the unpaid balance in any such account which has been reduced by withdrawal or increased by deposit, exclusive of interest credit within twenty years;

(b) the unpaid balance in any such account which is evidenced by a passbook in which entry of interest credit has been made within twenty years or which passbook has been presented for entry of interest credit within twenty years;

(c) the unpaid balance in any such account with respect to which the bank has written evidence received within twenty years that the depositor or other person entitled thereto had knowledge thereof;

(d) the unpaid balance in any such account of a depositor known by an officer or employee of the bank to be living;

(e) the unpaid balance in any such account which is evidenced by a passbook, which book has, to the knowledge of the bank, within twenty years been balanced or verified.

The above definition of "unclaimed bank deposit" is hereby further amplified to mean, include, and refer to credits and deposits of every kind, character or form in any name whatsoever and in any capacity whatsoever, including but not limited to individuals, corporations, companies, associations, societies, firms, partnerships, joint stock companies, and fiduciaries of any nature.

C. 17:9-19.1.
Account
deemed in
existence.

2. Any bank which, through merger, reorganization, consolidation, or otherwise, acquired any certified check or any account of any depositor in any capacity whatsoever, shall, for the purpose of this act, be deemed to have been in existence from the date such check was certified by any other bank or such account originated in any other bank; and such certified check or such account shall constitute an unclaimed bank deposit if the same otherwise accords with the definition of an unclaimed bank deposit as provided in section two of the act of which this act is amendatory and supplementary.

Section
amended.

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

C. 17:9-20.
Presumption
of no
claimants.

3. It shall be presumed that there is or are no claimant or claimants who or which directly or indirectly has or have any right, title or interest in any unclaimed bank deposit held by a bank, and such unclaimed bank deposit shall be subject to escheat to the State.

C. 17:9-22.4.
Provisions
not to apply.

4. The provisions of section six of the act of which this act is amendatory and supplementary, under which the Attorney-General is required to institute suit for the escheat of unclaimed bank deposits of fifty dollars (\$50.00) or more in amount, shall not apply to unclaimed bank deposits disclosed in the reports made by banks to the State Treasurer, pursuant to the act of which this act is amendatory and supplementary, as of December thirty-first, one thousand nine hundred and forty-six, nor to unclaimed bank deposits disclosed in any such reports in like manner made by banks to the State Treasurer as of December thirty-first of each year thereafter.

C. 17:9-22.5.
Acts
controlling.

5. All unclaimed bank deposits reported by any bank as held by it as of December thirty-first, one thousand nine hundred and forty-six, shall be subject to the provisions of a bill pending in the Legislature and entitled "An act in respect to certain unclaimed bank deposits, and the escheat thereof to the State." In the event said bill does not become law, the provisions of the act of which this act is

amendatory and supplementary, as well as all amendments thereof and supplements thereto, shall apply to the unclaimed bank deposits in this section mentioned, notwithstanding the provisions of section four of this amendatory and supplementary act.

6. All unclaimed bank deposits reported by any bank as held by it as of December thirty-first, one thousand nine hundred and forty-seven, and as of December thirty-first of each year thereafter, regardless of the amount thereof, shall escheat to the State when report thereof is made to the State Treasurer and shall be paid over to the State Treasurer by such bank simultaneously with the making of the report by such bank pursuant to the provisions of the act of which this act is amendatory and supplementary.

C. 17:9-22.6.
To escheat
to State.

7. Any bank which fails to pay over to the State Treasurer any unclaimed bank deposit at the time the same is payable over under the provisions of section six of this amendatory and supplementary act, shall forfeit to the State the sum of twenty-five dollars (\$25.00) for each day such payment shall not be made, and such penalty, if not paid, shall be sued for and be recovered by the State Treasurer in an action at law in the name of the State.

C. 17:9-22.7.
Penalty and
recovery.

8. Section seven of the act of which this act is amendatory is amended to read as follows:

Section
amended.

7. Any bank which shall pay over to the State Treasurer any unclaimed bank deposit shall be saved harmless from all liability to any claimant having or asserting any right, title or interest in or to the same personally or in any capacity whatsoever; and no action or proceedings of any kind or character for the recovery of moneys represented thereby, or any part thereof, shall lie against such bank.

C. 17:9-24.
Bank absolved
of liability.

9. Section eight of the act of which this act is amendatory is amended to read as follows:

Section
amended.

8. (a) The State Treasurer shall establish and maintain records of all escheated unclaimed bank

C. 17:9-25.
Treasurer's
escheat
records.

deposits received by him showing in alphabetical order the names of the depositors, the amounts received, the name and address of the bank from which the funds were received, the identification numbers of the accounts if any, and shall establish and maintain an index thereto, which records and index shall at all times during the usual business hours be open to public examination.

75% credited
to general
State fund.

(b) The State Treasurer shall credit seventy-five per centum (75%) of the amount of each escheated unclaimed bank deposit received by him to the general funds of the State to be held, used and expended by the State Treasurer in the same manner as other general funds of the State and shall establish and maintain an account to be designated as the "unclaimed bank deposits escheat reserve fund" which is hereinafter referred to as the "reserve fund" and shall credit to the reserve fund, the other twenty-five per centum (25%) of the amount of each escheated unclaimed bank deposit received by the State Treasurer.

Investment
of fund.

(c) The State Treasurer shall invest and reinvest all moneys credited to the reserve fund in bonds or interest-bearing notes or obligations of the United States or in bonds or interest-bearing notes or obligations guaranteed as to principal and interest by the United States or in bonds or interest-bearing notes or obligations for the payment of the principal and interest of which the faith and credit of the United States are distinctly pledged or in bonds or interest-bearing notes or other obligations of this State or in bonds or interest-bearing notes or other obligations of any county, city, town, township, borough, village or other municipal or political subdivision of this State, issued under authority of any law of this State.

Income added
to reserve.

(d) The income received from the investments and reinvestments of the reserve fund shall be commingled with and added to the reserve fund and held and retained as part thereof subject to like investment and reinvestment, as part of the reserve fund.

(e) The reserve fund shall be used and expended by the State Treasurer for the payment of expenses and costs incurred by the State Treasurer and the Attorney-General pursuant to the provisions of section nine of this act. Use of reserve fund.

(f) At any time after receipt by the State Treasurer of any escheated unclaimed bank deposit any one claiming to be entitled thereto or to any part thereof may file claim therefor with the State Treasurer who is authorized to pass upon and determine the claimant's claim; if the State Treasurer shall determine the claimant's proofs of title thereto to be sufficient he shall pay the escheated unclaimed bank deposit or such part thereof to which he may determine the claimant is entitled, without interest, out of the reserve fund, to the claimant, and if the cash balance in the reserve fund is insufficient to make such payment the State Treasurer shall sell such of the investments of the reserve fund as may be necessary to make such payment. Claim filed with State Treasurer.

(g) If the State Treasurer determines that the claimant's proofs of title are not sufficient to entitle the claimant to such payment, the claimant may, within sixty days after the date of such determination by the State Treasurer, file a petition in the Court of Chancery setting forth the fact of the escheat of the unclaimed bank deposit and the facts of petitioner's claim thereto or to any part thereof, whereupon an order to show cause shall be made directed to the State Treasurer commanding him to show cause why the petition should not be granted and a copy of said petition and of the order to show cause shall be served upon the State Treasurer and upon the Attorney-General, and it shall be their duty to take such action with respect thereto as they may deem necessary to protect the interests of the State. Upon proof satisfactory to the court of petitioner's claim of title to the escheated unclaimed bank deposit or any part thereof, an order shall be entered establishing petitioner's claim and ordering the State Treas- Petition by claimant.

urer to pay to the petitioner the amount specified in such order together with such costs and counsel fees as the court may allow the petitioner, and upon service upon the State Treasurer of a copy of such order certified to be a true copy by the Clerk in Chancery, the State Treasurer shall pay to the petitioner out of the reserve fund the amount or amounts specified in such order.

Appeals.

(h) If the court shall determine that petitioner's proofs of title are not sufficient to establish petitioner's claim to the escheated unclaimed bank deposit or any part thereof, an order to that effect shall be made from which order appeal will lie to the Court of Errors and Appeals, and any such appeal shall be taken within forty days after the entry of such order and shall be taken and prosecuted according to the statutes and the rules of the Courts of Chancery and Errors and Appeals in such case made and provided. If on such appeal the order is reversed and petitioner's claim of title to the escheated unclaimed bank deposit or any part thereof is sustained, the State Treasurer shall pay to the claimant, out of the reserve fund, the amount or amounts to which the petitioner shall be entitled, together with such costs and counsel fees as may be allowed to the petitioner.

10. This act shall take effect immediately.

Approved May 1, 1947.

CHAPTER 92

AN ACT in respect to certain unclaimed bank deposits, and the escheat thereof to the State.

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

1. "Bank" means and includes any bank, trust company, savings bank and savings bank having shares of capital stock, organized and existing under any general or special law of this State, including any such bank, trust company, savings bank and savings bank having shares of capital stock, which may be in voluntary dissolution or which may be in possession of the Commissioner of Banking and Insurance or in receivership, and any private banker including any private banker for whose banking business a receiver has been appointed and any national banking association organized under the Acts of Congress and doing business in this State including any national banking association which may be in voluntary dissolution or in receivership. C. 17:9-27.
Bank.

2. "Unclaimed bank deposit" means and includes an unpaid balance of money to the credit or in the name of a maker or payee of a certified check held by a bank on December thirty-first, one thousand nine hundred and forty-six, together with all interest accrued thereon whether credited thereto or not on the records of the bank, and which after a period of twenty years has remained unclaimed, and also means and includes an unpaid balance of money to the credit or in the name of a depositor, in any capacity whatsoever, with a bank in any demand or time deposit account on December thirty-first, one thousand nine hundred and forty-six, together with all interest accrued thereon whether credited thereto or not on the records of the bank, and which after a period of C. 17:9-28.
Unclaimed
bank deposit.

twenty years has remained unclaimed exclusive of the following:

(a) the unpaid balance in any such account which has been reduced by withdrawal or increased by deposit, exclusive of interest credit within twenty years;

(b) the unpaid balance in any such account which is evidenced by a passbook in which entry of interest credit has been made within twenty years or which passbook has been presented for entry of interest credit within twenty years;

(c) the unpaid balance in any such account with respect to which the bank has written evidence received within twenty years that the depositor or other person entitled thereto had knowledge thereof;

(d) the unpaid balance in any such account of a depositor known by an officer or employee of the bank to be living;

(e) the unpaid balance in any such account which is evidenced by a passbook, which book has, to the knowledge of the bank, within twenty years been balanced or verified.

The above definition of "unclaimed bank deposit" is hereby further amplified to mean, include, and refer to credits and deposits of every kind, character or form in any name whatsoever and in any capacity whatsoever, including but not limited to individuals, corporations, companies, associations, societies, firms, partnerships, joint stock companies, and fiduciaries of any nature.

C. 17:9-29.
Account
deemed to
have existed.

3. Any bank which, through merger, reorganization, consolidation, or otherwise, acquired any certified check or any account of any depositor in any capacity whatsoever, shall, for the purpose of this act, be deemed to have been in existence from the date such check was certified by any other bank or such account originated in any other bank; and such certified check or such account shall constitute an unclaimed bank deposit if the same otherwise accords with the definition of an unclaimed bank deposit as provided by section two of this act.

4. For the purpose of this act, it shall be presumed that on December thirty-first, one thousand nine hundred and forty-six, there was or were no claimant or claimants who or which directly or indirectly had any right, title or interest in any unclaimed bank deposit as defined in section two of this act.

C. 17:9-30.
Presumption
of no
claimants.

5. All unclaimed bank deposits defined in section two of this act are hereby declared to have escheated to the State, and the same shall be paid over to the State Treasurer pursuant to the appropriate provisions of this act; *provided, however*, that any such unclaimed bank deposits which were paid over to the State Treasurer by a bank on, before or after December thirty-first, one thousand nine hundred and forty-six, whether pursuant to a decree of the Court of Chancery or not, shall be deemed to have been held by such bank on said date, and the payment over thereof to the State Treasurer before this act takes effect shall be deemed to be payment over to the State Treasurer under this act notwithstanding the same were so paid over by virtue of "An act providing for the escheat of unclaimed bank deposits," approved April twentieth, one thousand nine hundred and forty-five (P. L. 1945, c. 199), or any amendment thereof or supplement thereto.

C. 17:9-31.
Unclaimed
bank deposits
to escheat.

Proviso.

6. Any suit now pending in the Court of Chancery pursuant to "An act providing for the escheat of unclaimed bank deposits," approved April twentieth, one thousand nine hundred and forty-five (P. L. 1945, c. 199), or any amendment thereof or supplement thereto, wherein no final decree has been entered, shall be terminated by the filing by the Attorney-General of a petition for discontinuance, which petition shall recite this section as authority therefor; whereupon the court shall make an order conforming therewith, which order shall be termed "Statutory Order for Discontinuance."

C. 17:9-32.
Statutory
order for
discontinuance.

The Attorney-General shall cause to be served upon the defendant bank a true copy of such order, certified as such by the Clerk of the Court of Chan-

Service of
order, payment
by bank.

cery, and the bank so served shall, within thirty days after service upon it of such copy, pay over to the State Treasurer all unclaimed bank deposits upon which the suit was brought, in the same manner as if a final decree had been made in the cause ordering the payment thereof over to the State Treasurer; and such payment shall be accompanied by a writing sufficient to identify the same as made pursuant to the provisions of this section, citing this act by the title and chapter.

Payment
of expenses.

After the service upon the bank of such certified copy of the order for discontinuance, the State Treasurer shall pay out of the reserve fund provided by "An act providing for the escheat of unclaimed bank deposits," approved April twentieth, one thousand nine hundred and forty-five (P. L. 1945, c. 199), or any amendment thereof or supplement thereto, all expenses and costs incurred by the Attorney-General, including costs and expenses for legal and clerical services.

C. 17:9-33.
Report by
bank, contents.

7. Within sixty days after this act takes effect, every bank shall make in duplicate a written report to the State Treasurer containing a true and accurate statement of all unclaimed bank deposits, as defined in section two of this act, held by such bank. Such report shall set forth the name and address of the bank and where the name of the bank has been changed by merger, reorganization, consolidation or otherwise, also the original name and address of the bank in which the deposit originated, and shall list in alphabetical order the name of each person to whose credit an unclaimed bank deposit stands, the last address of the depositor appearing on the records of the bank, the identification number, if any, of each account and the amount to the credit of each account.

Certification
of report.

The person signing such report shall certify that such report is a true and accurate statement of all such unclaimed bank deposits held by the bank, to the best of his knowledge, information and belief after diligent inquiry, and that such report accurately sets forth all other information required under the provisions of this section.

If the bank shall have no such unclaimed bank deposits a written report so stating shall be made to the State Treasurer. Statement required.

The person signing such report may, in making the report, rely upon information with respect to such unclaimed bank deposits furnished by the officers and employees and records of the bank. Information furnished.

Such report shall, where the bank is a corporation, be signed by its president or a vice-president or treasurer or assistant treasurer or cashier or assistant cashier. If such bank is in voluntary dissolution, the report shall be signed by one or more of its trustees designated by its board of trustees for that purpose. If such bank is in possession of the Commissioner of Banking and Insurance, the report shall be signed by the commissioner or by a deputy commissioner or by a special deputy commissioner appointed by him and in actual charge of the business and affairs of the bank. If a receiver has been appointed for a corporate bank or private banker, the report shall be signed by such receiver. In the case of a private banker, the report shall be signed by such banker. Report signed by officers.

Provided, however, that any bank which has already included in any report of unclaimed bank deposits required to be filed in duplicate with the State Treasurer under "An act providing for the escheat of unclaimed bank deposits," approved April twentieth, one thousand nine hundred and forty-five (P. L. 1945, c. 199), or any amendment thereof or supplement thereto, the information hereinabove required to be filed with respect to unclaimed bank deposits declared escheated under this act, shall not again make such disclosures but shall file, in the same manner hereinabove specified, a report that such disclosures have already been made to the State Treasurer and shall identify the report in which the same were set forth; *provided further,* that if any bank in any such report heretofore filed by it has not set forth a complete list of the unclaimed bank deposits required to be disclosed in the report hereinabove Proviso.

Proviso.

first provided, such bank shall report as to unclaimed bank deposits not heretofore disclosed and shall clearly show such to be the case.

Deposit
reclassified.

If, between December thirty-first, one thousand nine hundred and forty-six and the date this act takes effect, a bank has satisfied itself as to the existence of a proper claimant or proper claimants to an unclaimed bank deposit as defined in section two of this act and has reclassified the same as a claimed deposit or has paid the amount thereof to the proper claimant or claimants, the report hereinabove required to be made by the bank to the State Treasurer shall, after including the same as held on December thirty-first, one thousand nine hundred and forty-six, separately identify the same and shall further set forth full facts with respect thereto.

Forms
prepared.

The State Treasurer shall cause to be printed within thirty days after this act takes effect, a form or forms of report, which shall be identified by reference to this act by title and chapter number and by such other markings as in his judgment will readily distinguish the same from any other form used in filing reports under any other law providing for the escheat of unclaimed bank deposits, and all reports required to be made by a bank under the provisions of this act shall be made on such form or forms.

Penalty upon
failure
to report.

Any bank which fails to file in duplicate an appropriate and full report with the State Treasurer, in compliance with the provisions of this section, shall forfeit to the State the sum of twenty-five dollars (\$25.00) for each day such report shall not be filed, and if not paid, such penalty shall be sued for and be recovered by the State Treasurer in an action at law in the name of the State.

C. 17:9-34.
Payment on
filing report.

8. Any unclaimed bank deposit defined by section two of this act, which has not heretofore been paid over to the State Treasurer, shall be paid over to the State Treasurer simultaneously with the filing of the appropriate report as required to be filed by the provisions of this act; *provided*,

Proviso.

however, that if any such report shall show that any such unclaimed bank deposits were paid over to the State Treasurer at any time before the filing of such report, there shall be included in such report an explanation of the payment or payments so made, in such manner that the payment or payments so made shall reconcile with the tenor of such report.

Any bank which fails to pay over to the State Treasurer any unclaimed bank deposit by the latest day the same shall be so payable over under the provisions of this act, shall forfeit to the State the sum of twenty-five dollars (\$25.00) for each day such payment shall not be made, and such penalty, if not paid, shall be sued for and be recovered by the State Treasurer in an action at law in the name of the State. For the purpose of this section, in the event a report is filed by a bank which indicates that the same should have been accompanied by a payment, as required by this act, the day on which such report is received by the State Treasurer shall be deemed to be the latest day for such payment without penalty; otherwise thirty days or sixty days, according to the section of this act applicable in the circumstances, shall be the latest day on which payment shall be made without penalty.

Penalty,
recovery.

9. Immediately upon receipt of such reports the State Treasurer shall deliver one duplicate of each report to the Attorney-General, and the State Treasurer shall cause the other duplicate reports to be permanently bound with an alphabetical index of the depositors with appropriate references to the bound reports. Such bound reports and indices shall be open for public inspection during usual business hours and under such reasonable regulations as the State Treasurer shall prescribe; *provided, however*, that the State Treasurer may, if he shall find it more convenient to do so, include the duplicate reports to be held by him under this act with those held by him under "An act providing for the escheat of unclaimed bank de-

C. 17:9-35.
Report to
Attorney-
General,
reports bound
and indexed.

Proviso.

posits," approved April twentieth, one thousand nine hundred and forty-five (P. L. 1945, c. 199), or any amendment thereof or supplement thereto, and he may do the same with respect to the alphabetical index.

C. 17:9-36.
Bank not liable
after payment.

10. Any bank which has paid over, or which shall pay over, to the State Treasurer any unclaimed bank deposit declared escheated under this act, shall be saved harmless from all liability to any claimant having or asserting any right, title or interest in or to the same personally or in any capacity whatsoever; and no action or proceedings of any kind or character for the recovery of the moneys represented thereby, or any part thereof, shall lie against any such bank.

C. 17:9-37.
Use of moneys
received.

11. All moneys received by the State Treasurer pursuant to the provisions of this act shall be treated, set up in reserve, invested, reinvested and disposed of by the State Treasurer in the same manner, both as to principal and interest, as moneys paid over to him under the provisions of "An act providing for the escheat of unclaimed bank deposits," approved April twentieth, one thousand nine hundred and forty-five (P. L. 1945, c. 199), or any amendment thereof or supplement thereto; and moneys received under this act may be co-ordinately commingled with such other moneys.

C. 17:9-38.
Banks to
retain files
and records.

12. No bank shall destroy or otherwise dispose of any of its records or files pertaining to any unclaimed bank deposit escheated under this act; but all banks shall preserve such records and files, and any of the originals thereof or photostatic copies thereof duly certified by any official of the bank to be true copies, shall be furnished to the State Treasurer whenever he shall make request therefor in writing.

C. 17:9-39.
Claim filed,
payment.

13. Any claimant who or which in any capacity has or asserts any right, title or interest in or to any such moneys escheated under this act, or to any part of any such moneys, may file claim therefor with the State Treasurer who is authorized

to pass upon and determine the claimant's claim; if the State Treasurer shall determine the claimant's proofs of title thereto to be sufficient he shall pay the escheated unclaimed bank deposit or such part thereof to which he may determine the claimant is entitled, without interest, out of the reserve fund, to the claimant, and if the cash balance in the reserve fund is insufficient to make such payment the State Treasurer shall sell such of the investments of the reserve fund as may be necessary to make such payment.

If the State Treasurer determines that the claimant's proofs of title are not sufficient to entitle the claimant to such payment, the claimant may, within sixty days after the date of such determination by the State Treasurer, file a petition in the Court of Chancery setting forth the fact of the escheat of the unclaimed bank deposit and the facts of petitioner's claim thereto or to any part thereof, whereupon an order to show cause shall be made directed to the State Treasurer commanding him to show cause why the petition should not be granted and a copy of said petition and of the order to show cause shall be served upon the State Treasurer and upon the Attorney-General, and it shall be their duty to take such action with respect thereto as they may deem necessary to protect the interests of the State. Upon proof satisfactory to the court of petitioner's claim of title to the escheated unclaimed bank deposit or any part thereof, an order shall be entered establishing petitioner's claim and ordering the State Treasurer to pay to the petitioner the amount specified in such order together with such costs and counsel fees as the court may allow the petitioner, and upon service upon the State Treasurer of a copy of such order certified to be a true copy by the Clerk in Chancery, the State Treasurer shall pay to the petitioner out of the reserve fund the amount or amounts specified in such order.

Petition to
court by
claimant.

If the court shall determine that petitioner's proofs of title are not sufficient to establish peti- Appeals.

tioner's claim to the escheated unclaimed bank deposit or any part thereof, an order to that effect shall be made from which order appeal will lie to the Court of Errors and Appeals, and any such appeal shall be taken within forty days after the entry of such order and shall be taken and prosecuted according to the statutes and the rules of the Courts of Chancery and Errors and Appeals in such case made and provided. If on such appeal the order is reversed and petitioner's claim of title to the escheated unclaimed bank deposit or any part thereof is sustained, the State Treasurer shall pay to the claimant, out of the reserve fund, the amount or amounts to which the petitioner shall be entitled, together with such costs and counsel fees as may be allowed to the petitioner.

14. This act shall take effect immediately.

Approved May 1, 1947.

CHAPTER 93

AN ACT requiring taxpayers to pay an expense fee as a condition precedent to filing petitions of appeal with the county board of taxation in counties of the first class, and supplementing Title 54 of the Revised Statutes.

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

C. 54:3-21.3.
Fee upon
filing petition.

No fee.

1. Upon the filing of a petition of appeal by any taxpayer with the county board of taxation in any county pursuant to section 54:3-21 of the Revised Statutes, such taxpayer or the person acting on his behalf shall pay to the secretary of such county board a fee of one dollar (\$1.00) for each such petition. No fee shall be required, however, where the assessed valuation of any property is five thou-

sand dollars (\$5,000.00) or less. Each such secretary shall be liable for all such fees paid into his hands and he shall pay over all such fees to the treasurer of the county, who shall receive, account and dispose of such fees as revenues of the county.

Secretary
liable for fees.

2. This act shall take effect immediately.

Approved May 1, 1947.

CHAPTER 94

AN ACT concerning alcoholic beverages; limiting the number of licenses to sell alcoholic beverages at retail, and supplementing chapter one, Title 33, of the Revised Statutes.

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

1. For the purposes of this act any license for a new license term, which is issued to replace a license which expired on the last day of the license term which immediately preceded the commencement of said new license term or which is issued to replace a license which will expire on the last day of the license term which immediately precedes the commencement of said new license term, shall be deemed to be a renewal of the expired or expiring license; *provided*, that said license is of the same class and type as the expired or expiring license, covers the same licensed premises, is issued to the holder of the expired or expiring license and is issued pursuant to an application therefor which shall have been filed with the proper issuing authority prior to the commencement of said new license term or not later than thirty days after the commencement thereof. Licenses issued otherwise than as above herein provided shall be deemed to be new licenses.

C. 33:1-12.13.
Deemed a
renewal
license.

Proviso.

C. 33:1-12.14.
Ratio of
licenses to
population.

2. Except as otherwise provided in this act, no new plenary retail consumption or seasonal retail consumption license shall be issued in a municipality unless and until the combined total number of such licenses existing in the municipality is fewer than one for each one thousand of its population as shown by the last then preceding Federal census; and no new plenary retail distribution license shall be issued in a municipality unless and until the number of such licenses existing in the municipality is fewer than one for each three thousand of its population as shown by the last then preceding Federal census.

C. 33:1-12.15.
Population
less than 1,000.

3. Nothing in this act shall prevent the issuance and existence of one plenary or seasonal retail consumption license and one plenary retail distribution license in a municipality whose population as shown by the last then preceding Federal census is less than one thousand.

C. 33:1-12.16.
Not to prevent
renewals.

4. Nothing in this act shall prevent the renewal of licenses existing on the effective date of this act, or the transfer of such licenses or the renewal of licenses so transferred.

C. 33:1-12.17.
Seasonal
license.

5. Nothing in this act shall prevent the issuance in a municipality of a seasonal retail consumption license to a person who held such a license in the municipality for the same premises, and for the same seasonal period, during the then next preceding summer or winter season, nor shall anything in this act prevent the transfer of such a license so issued.

C. 33:1-12.18.
Not to prevent
renewal within
60 days.

6. Nothing in this act shall be deemed to prevent the issuance of a new license to a person who files application therefor within sixty days following the expiration of the license renewal period if the State commissioner shall determine in writing that the applicant's failure to apply for a renewal of his license was due to circumstances beyond his control.

C. 33:1-12.19.
Veterans'
licenses.

7. Nothing in this act shall prevent the issuance, in a municipality, of a new license to a person who, having held a license of the same class in the mu-

municipality, surrendered his license or permitted it to expire because of his induction into or service in the armed forces of the United States; *provided, however,* that such ex-licensee shall have filed the application for a new license within one year from the completion of his active service in said armed forces. Proviso.

8. Nothing in this act shall prevent the issuance, in a municipality, of a new license to a person who operates a hotel containing fifty sleeping rooms or who may hereafter construct and establish a new hotel containing at least fifty sleeping rooms. C. 33:1-12.20.
Hotel licenses.

9. This act is in addition to and not in exclusion of municipal regulations, limiting the number of licenses to sell alcoholic beverages at retail, duly adopted pursuant to the authority granted by section 33:1-40 of the Revised Statutes. C. 33:1-12.21.
Act additional regulation.

10. This act shall take effect May fifteenth, one thousand nine hundred and forty-seven. C. 33:1-12.22.
Act effective.

Approved May 1, 1947.

CHAPTER 95

A SUPPLEMENT to "An act to establish a department of economic development, defining its functions, powers and duties, and providing thereby for the consolidation and co-ordination of post-war planning and activities, and making an appropriation therefor," approved April sixth, one thousand nine hundred and forty-four (P. L. 1944, c. 85).

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

1. Any county, municipality or school district, which has heretofore applied or hereafter shall apply to the Commissioner of the Department of Applicant to submit data.

Economic Development for an allotment toward the cost of preparing detailed plans and specifications for local public works or improvements pursuant to the provisions of the act to which this act is a supplement, shall present the proof of the completion of the plans and specifications and of their cost to the applicant, as required by said act, to the said commissioner on or before the fifteenth day of June, one thousand nine hundred and forty-seven, if said application was approved by the said commissioner on or before the first day of December, one thousand nine hundred and forty-six, and, if said application was approved by the said commissioner thereafter, on or before the fifteenth day of September, one thousand nine hundred and forty-seven, in order to be entitled to any such allotment, and in the event such proof is not so presented, any such cost shall be borne entirely by the county, municipality or school district, as the case may be.

2. This act shall take effect immediately.

Approved May 5, 1947.

CHAPTER 96

AN ACT concerning the State Highway Department
for the construction of township roads.

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

Authorized to
expend funds.

1. The State Highway Department is hereby authorized to expend, out of presently appropriated funds, the sum of thirty thousand dollars (\$30,000.00), or so much thereof as may be necessary, to meet the State's share of the cost in the construction of the Denmark-Hibernia road in Rockaway township, Morris county.

2. This act shall take effect immediately.

Approved May 5, 1947.

CHAPTER 97

AN ACT authorizing, empowering and requiring the Board of Public Utility Commissioners to charge and collect fees with respect to matters coming before the board, charges for copies of publications, reports and other papers and subpoenas issued by the board, for examination and audit of annual reports and for inspections and tests, and supplementing chapter two of Title 48 of the Revised Statutes.

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

1. The Board of Public Utility Commissioners is hereby empowered, authorized and required to charge and collect the following fees and charges for the purposes and in the amounts hereinafter set out:

C. 48:2-53.
Schedule
of fees.

	Charge per Copy
ANNUAL REPORT FORMS	
Sewer companies	\$2 00
Railroad companies	10 00
Telephone companies	10 00
Water companies	
Large	10 00
Small	5 00
Income sheets for small water companies	2 00
Busses	
Class A.	10 00
Class B.	5 00
Class C.	2 00
Gas companies	10 00
Electric companies	10 00
Nonoperating gas and electric companies	2 00
Street railway companies	
Operating	10 00
Nonoperating	2 00

		Charge per Examination and Audit
EXAMINATION AND AUDIT—ANNUAL REPORTS		
Up to \$100,000.00		\$10 00
Up to \$1,000,000.00		15 00
Over \$1,000,000.00		25 00
		Charge per Copy
PAMPHLETS AND PUBLICATIONS		
Statistics of utilities—private and municipal		\$2 00
Reports of the Board of Public Util- ity Commissioners		2 00
Pamphlets containing rules and reg- ulations, the Public Utility Act and all other pamphlets published by the Board		1 00
		Charge per Subpoena
SUBPOENAS		
Issuance of original subpoena for the attendance of witnesses		\$1 00
Issuance of subpoena duces tecum ...		5 00
APPLICATIONS AND PETITIONS SUBMITTED TO THE BOARD		Filing Fee
Resolutions under Conference Ruling No. 6		\$10 00
Approval of Securities or Evidences of Indebtedness:		
Applications up to \$250,000.00		50 00
Applications of \$250,000.00 to \$500,000.00		100 00
Applications of \$500,000.00 to \$1,000,000.00		250 00
Applications of \$1,000,000.00 to \$25,000,000.00		500 00
Applications for rehearing		10 00

	Filing Fee
Sales of property	\$10 00
Increase in rates	25 00
Approval of agreements, mergers and ordinances	10 00
New crossings at grade and eliminations	25 00
Discontinuance of station agents and stations	10 00
Radio applications	10 00
Formal complaints (cost to be assessed against utility if complaint is sustained by the Board)	10 00
Any application or petition not hereinbefore specifically designated or described	10 00

APPLICATIONS IN CONNECTION WITH BUSES

Approval of transfer municipal consents	10 00
Approval conditional sales contracts, notes or other evidences of indebtedness	10 00
Changes, extensions, or consolidation of existing routes	10 00
Approval chattel mortgage and notes	20 00
Approval of consents for new routes	20 00
Approval receivers certificates	25 00
General changes in rates of fare on application of utilities	20 00
Applications inspection of new bus equipment and issuance of certificate of compliance	10 00
Stock issues up to \$10,000.00	10 00
Formal complaints by a utility	10 00

		Filing Fee
PERIODICAL BUS INSPECTIONS BY BOARD INSPECTORS		
Each inspection		\$2 50
		Charge per Copy
ONE EXTRA CERTIFIED COPY OF ALL DECISIONS, ORDERS AND CERTIFICATES OF THE BOARD		
		\$2 00
		Charge per Application
APPLICATIONS FOR INSPECTIONS AND TESTS OF ELECTRIC, WATER AND GAS METER		
		\$2 00

C. 48:2-54.
Time of
payment.

2. Filing fees shall be paid to the Board of Public Utility Commissioners at the time of filing the original paper, application, petition or other document or paper in the case.

C. 48:2-55.
Monthly report
of fees
collected.

3. All fees and charges collected under the provisions of this act shall be received by the board for the sole use of the State of New Jersey, as public moneys of the State, and the board shall make a monthly report and return to the State Commissioner of Taxation and Finance of all such fees and charges collected by it, and shall monthly pay the sums so collected to the State Treasurer.

4. This act shall take effect immediately.

Approved May 5, 1947.

CHAPTER 98

AN ACT providing for the payment of certain fees in connection with petitions of appeal hereafter filed with the Division of Tax Appeals in the State Department of Taxation and Finance.

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

1. Whenever an appeal shall hereafter be taken to the Division of Tax Appeals in the State Department of Taxation and Finance, pursuant to any law in which provision is or shall be made for such appeal, the petitioner shall pay a fee or fees as provided in this act. C. 54:2-44.
Fees.

2. (a) When the appeal shall involve only the assessed valuation of property, whether such appeal shall be taken to review the valuation assessed in the first instance by any assessing official or body or to review the determination or judgment of any appellate official or body with respect thereto, for each parcel, item or improvement separately assessed on the tax map or assessment records, as the case may be, by the assessing official or body the fee or fees shall be according to the following schedule: C. 54:2-45.
Schedule
of fees.

If the valuation involved is:

Less than \$5,000.00, the fee shall be	\$1.00
\$5,000.00 or more but less than \$20,000.00, the fee shall be	\$2.00
\$20,000.00 or more but less than \$50,- 000.00, the fee shall be	\$3.00
\$50,000.00 or more but less than \$100,- 000.00, the fee shall be	\$5.00
\$100,000.00 or more, the fee shall be	\$10.00

(b) When the appeal shall involve only the classification of property, for each parcel of property sought to be reclassified the fee shall be ten dollars (\$10.00).

(c) When the appeal shall involve both the assessed valuation of property and the classification of property, the fees shall be according to the provisions of (a) and (b) of this section.

(d) When the appeal shall involve a matter not covered by (a), (b) or (c), the full fee to be paid shall be ten dollars (\$10.00).

C. 54:2-46.
Payment
on appeal.

3. No appeal shall be heard by the division unless the fee or fees payable under this act shall have been paid in full. All such fees shall be payable upon the taking of the appeal and shall be paid to the secretary of the division and shall be by him reported and accounted for as provided by law for moneys collected by the various State departments and agencies. All such fees shall be for the use of the State, and when paid in full shall not be returned to the petitioner for any reason.

C. 54:2-47.
In lieu of
other fees.

4. On and after the effective date of this act, the fee or fees herein provided shall be in lieu of all other fees provided by any other law in connection with the filing of petitions of appeal with the Division of Tax Appeals in the State Department of Taxation and Finance.

5. This act shall take effect immediately.

Approved May 5, 1947.

CHAPTER 99

AN ACT to amend "An act to make uniform the law with reference to trust receipts and pledges of personal property unaccompanied by possession in the pledgee," approved June fourth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 294).

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

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

Section
amended.

13. Filing and refiling concerning trust receipt transactions covering documents or goods.

C. 46:35-13.
Filing trust
certificates.

(1) Any entruster undertaking or contemplating trust receipt transactions with reference to documents or goods is entitled to file with the Secretary of State a statement, signed by the entruster and the trustee, containing:

(a) a designation of the entruster and the trustee, and of the chief place of business of each within this State, if any; and if the entruster has no place of business within the State, a designation of his chief place of business outside the State; and

Contents of
statement.

(b) a statement that the entruster is engaged, or expects to be engaged, in financing under trust receipt transactions the acquisition of goods by the trustee; and

(c) a description of the kind or kinds of goods covered or to be covered by such financing.

Form of
statement.

(2) The following form of statement (or any other form of statement containing substantially the same information) shall suffice for the purposes of this act.

“Statement of Trust Receipt Financing

“The entruster, whose chief place of business within this State is at, (or who has no place of business within this State and whose chief place of business outside this State is at) is or expects to be engaged in financing under trust receipt transactions the acquisition by the trustee, whose chief place of business within this State is at of goods of the following description: (coffee, silk, automobiles, or the like).

(Signed) Entruster

(Signed) Trustee.”

Numbering,
indexing,
filing fee.

(3) It shall be the duty of the filing officer to mark each statement filed with a consecutive file number, and with the date and hour of filing, and to keep such statement in a separate file; and to note and index the filing in a suitable index, indexed according to the name of the trustee and containing a notation of the trustee's chief place of business as given in the statement. The fee for such filing shall be five dollars (\$5.00).

Validity of
filing.

(4) Presentation for filing of the statement described in subsection one, and payment of the filing fee, shall constitute filing under this act, in favor of the entruster, as to any documents or goods falling within the description in the statement which are within one year from the date of such filing, or have been, within thirty days previous to such filing, the subject-matter of a trust receipt transaction between the entruster and the trustee.

(5) At any time before expiration of the validity of the filing, as specified in subsection four, a like statement, or an affidavit by the entruster alone, setting out the information required by subsection one; may be filed in like manner as the original filing. Any filing of such further statement or affidavit shall be valid in like manner and for like period as an original filing, and shall also continue the rank of the entruster's existing security interest as against all junior interests. It shall be the duty of the filing officer to mark, file and index the further statement or affidavit in like manner as the original.

Filing of
further
information
before expira-
tion date.

2. This act shall take effect immediately.

Approved May 5, 1947.

CHAPTER 100

AN ACT concerning corporations and associations not for profit, and supplementing chapter one of Title 15 of the Revised Statutes.

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

1. Every corporation or association organized under the provisions of Title 15 of the Revised Statutes shall file with the Secretary of State an annual report listing the officers thereof and, at the time of such filing, shall pay to the Secretary of State a filing fee of one dollar (\$1.00).

C. 15:1-11.1.
Annual
report, fee.

2. This act shall take effect immediately.

Approved May 5, 1947.

CHAPTER 101

AN ACT concerning fees and costs, and amending section 22:4-1 of the Revised Statutes.

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

1. Section 22:4-1 of the Revised Statutes is amended to read as follows:

Section
amended.

22:4-1. For services herein enumerated the Secretary of State shall receive the following fees:

Schedule
of fees.

For recording all deeds, mortgages, bills of sale and all other documents in the office of the Secretary of State: When written in whole, per folio, fifteen cents (\$0.15); when written and printed or typewritten in whole or in part with type of eight-point face and with not less than four-point space between lines, or when written and printed or typewritten in whole or in part with type of more than eight-point face per folio, fifteen cents (\$0.15); when printed or typewritten in whole or in part with type of less than eight-point face with less than four-point space between the lines, in broken measure, tabular, schedule or figure work, per folio, twenty cents (\$0.20).

For official copies and abstracts of instruments and documents in the office of the Secretary of State or from the records and files thereof, per folio, twenty cents (\$0.20).

For the seal to commissions of sheriffs, surrogates and clerks of any court (commissions issued by the Governor), one dollar (\$1.00).

For the seal to every certificate, exemplification or other paper, one dollar (\$1.00).

For every order, warrant or certificate under the Governor's hand and seal, countersigned by the Secretary of State, forty cents (\$0.40).

For entering writings on the record, for each sheet, eight cents (\$0.08), and for every copy of the

same, and other papers in his office, for each sheet, eight cents (\$0.08).

For a commission for a sheriff, surrogate or clerk of any court, one dollar and thirty-four cents (\$1.34).

For every other commission, twenty-five cents (\$0.25).

For drawing a certificate to pass under the great seal, or any other seal, and engrossing the same, for each sheet, twelve cents (\$0.12).

For every commission granted to a notary public or a foreign commissioner of deeds the Governor shall receive and pay to the State Treasurer a fee of ten dollars (\$10.00).

For filing the seal of a foreign commissioner of deeds the Secretary of State shall receive a fee of one dollar (\$1.00).

For filing and recording all certificates and amended certificates of associations and corporations not for profit and of societies, clubs, churches, religious societies and congregations, required to be filed in the office of the Secretary of State, five dollars (\$5.00).

No fee shall be charged by the Secretary of State for filing and recording the certificate of incorporation of an association formed for the purpose of acquiring, caring for and maintaining historic lands, sites and buildings in this State, as and for a State park.

For accepting service of process in actions against corporations, to be taxed as part of the taxable costs if the plaintiff prevails, three dollars (\$3.00).

For filing and entering conditional sales contracts or agreements affecting equipment, rolling stock, motor vehicles and other vehicles of railroads, street railroads and transportation companies, one dollar (\$1.00).

For filing and entering a satisfaction of an above-mentioned contract or agreement, fifty cents (\$0.50)

For filing a certified copy of an order of change of name, five dollars (\$5.00).

For filing any paper or document for which no other fee is fixed, two dollars (\$2.00).

Except as otherwise provided by law, all fees for the services of the Governor for licenses, and seals to exemplifications, commissions, certificates or other papers, shall be collected by the Secretary of State and he shall account therefor to the Comptroller and pay over the same to the Treasurer in the same manner as he accounts for and pays over other fees collected by him for the use of the State, plus recording fees.

2. This act shall take effect immediately.

Approved May 5, 1947.

CHAPTER 102

AN ACT concerning the registration of trade names, marks and other devices, and amending sections 56:3-3 and 56:3-16 of the Revised Statutes.

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

Section
amended.

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

May register
label, etc.

56:3-3. Any label, trade-mark, term or design heretofore or hereafter adopted and used as herein provided by any person, association, organization or corporation may be filed for registry in the following manner: Such person, association, organization or corporation shall leave two copies, facsimiles or counterparts thereof with the Secretary of State, and file therewith a statement in the form of an affidavit, subscribed and sworn to by any such person, or by an officer, agent or attorney of any such association, organization or corporation, specifying the person, association, organization or corporation, by whom or in whose behalf any such label, trade-mark, term or design is filed, and the

Statement,
contents.

class or character of the goods, wares, merchandise or product of labor to which the same has been, or is intended to be, appropriated or applied, and that the person, association, organization or corporation so filing the same or on whose behalf the same is so filed, has the right to the use of such label, trade-mark, term or design, and that no other person, firm, association, organization or corporation has the right to such use, either in the identical form or in any such near resemblance thereto as may be calculated to deceive, without the permission or authority of the person, association, organization or corporation filing the same, or causing the same to be filed, and that the copies, facsimiles or counterparts filed therewith are true and correct copies, facsimiles or counterparts of the genuine label, trade-mark, term or design of the person, association, organization or corporation filing the same or causing the same to be filed. For such filing and registry a fee of five dollars (\$5.00) shall be paid to the Secretary of State for the use of the State. Fec.

2. Section 56:3-16 of the Revised Statutes is amended to read as follows: Section amended.

56:3-16. The registration of names, marks or other devices shall be by filing in the office of the clerk of the county in which the principal office of the person or corporation seeking registration is situated and in the office of the Secretary of State, descriptions of such names, marks or other devices. If the applicant for registration has no principal office in this State the names, marks or other devices may be registered by filing descriptions thereof in the office of the clerk of any county in which the applicant does business and in the office of the Secretary of State. Registration of names, etc.

For each filing as herein provided the Secretary of State shall receive a fee of five dollars (\$5.00) and the county clerk shall receive a fee of one dollar and fifty cents (\$1.50). Fees.

3. This act shall take effect immediately.

Approved May 5, 1947.

CHAPTER 103

AN ACT to amend the title of "An act providing for legal aid to police officers in suits against them arising from incidents in the line of duty," approved April twelfth, one thousand nine hundred and forty-six (P. L. 1946, c. 67), so that the same shall read "An act providing for legal aid to police officers and firemen in suits or other legal proceedings against them arising from incidents in the line of duty," and to amend the body of said act.

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

- | | |
|------------------------------------|---|
| Title amended. | 1. The title of "An act providing for legal aid to police officers in suits against them arising from incidents in the line of duty," approved April twelfth, one thousand nine hundred and forty-six, is amended to read "An act providing for legal aid to police officers and firemen in suits or other legal proceedings against them arising from incidents in the line of duty." |
| New title. | |
| Section amended. | 2. Section one of the act of which this act is amendatory is amended to read as follows: |
| C. 40:11-19
Legal aid provided. | 1. Where a member of any police or fire department is made a defendant in any suit or other legal proceeding arising out of the performance of police or fire duty or out of any incident arising in the line of such duty, the officer, board or body in control of such police or fire department shall provide all necessary legal aid necessary for the defense of such suit or other legal proceeding; <i>provided</i> , this shall not apply to any disciplinary or criminal proceeding instituted against such policeman or fireman by the municipality in which he is employed. |
| Proviso. | 3. This act shall take effect immediately. |

Approved May 6, 1947.

CHAPTER 104

AN ACT concerning elections, and amending sections 19:14-4, 19:14-6, 19:14-14, 19:15-27, 19:15-28, 19:16-3, 19:16-4, and 19:23-25, and repealing sections 19:14-11, 19:14-17, 19:16-1, 19:23-3, 19:23-4, 19:23-26, 19:23-43, 19:23-44 and 19:26-3 of the Revised Statutes.

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

1. Section 19:14-4 of the Revised Statutes is amended to read as follows: Section amended.

19:14-4. In the center of the ballot immediately below the perforated line shall be printed in bold-faced 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." Official general election ballot specification.
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 X, plus + or check ✓.

(2) To mark a cross X, plus +, check ✓ 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

×, plus + or check √ 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 ×, plus + or check √ 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 ×, plus + or check √ in the square at the left of the word "Yes," and if opposed thereto, mark a cross ×, plus + or check √ 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 ×, plus + or check √ 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 section 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.

2. Section 19:14-6 of the Revised Statutes is amended to read as follows:

Column
designation.

19:14-6. In each column, immediately below the six-point rule, shall be printed the proper word or

words to designate the column, to be known as the "column designation."

In the columns at the extreme left shall be printed the name of each of the political parties which made nominations at the next preceding primary election, directly under which shall appear the words "to vote for any candidate whose name appears in the column below, mark a cross $\times$, plus + or check $\checkmark$ in the square at the left of the name of such candidate. Do not vote for more candidates than are to be elected to any office." Such columns shall be three inches in width.

The column next to the right of such columns shall be designated "personal choice," under which shall appear the words "in the blank column below, under the proper title of office, the voter may write or paste the name of any person for whom he desires to vote, whose name is not printed on this ballot, and shall mark a cross $\times$, plus + or check $\checkmark$ in the square at the left of such name. Do not vote for more candidates than are to be elected to any office." There shall also be the same instructions regarding electors of president and vice-president which now appear at the head of all other columns. This column shall be four inches in width.

The remaining column or columns, as the case may be, shall each be designated "Nomination by Petition," under which shall be printed the words "to vote for any candidate whose name appears in the column below mark a $\times$, plus + or check $\checkmark$ in the square at the left of the name of such candidate. Do not vote for more candidates than are to be elected to any office." These columns shall be four inches in width.

Below the column designations and accompanying instructions and not more than one and one-half inches below the six-point diagram rule and parallel thereto, shall be printed a six-point diagram rule extending across the entire ballot from one four point rule to the other.

Section
amended.

3. Section 19:14-14 of the Revised Statutes is amended to read as follows:

Public
question.

19:14-14. Immediately below the six-point diagram rule to be printed in place of the last two-point hair line rule across the entire ballot, from one four-point rule to the other, shall be printed as near to the center of the ballot as possible the following words: "Public Questions to be voted upon." Below these words and above the first public question, beginning one and one-half inches to the right of the four-point rule at the left of the ballot and extending to not more than one and one-half inches from the four-point rule at the right of the ballot, shall be printed in one line, if possible, the following instructions: "To vote upon the Public Questions printed below, if in favor thereof mark a cross X, plus + or check $\checkmark$ in the square at the left of the word 'Yes,' and if opposed thereto, mark a cross X, plus + or check $\checkmark$ in the square at the left of the word 'No,' " underscored with a two-point diagram rule. Below and flush with the left end of said two-point diagram rule shall be printed two separate squares; one under the other, three-eighths of an inch in size formed by two-point diagram rules. Immediately to the right of the upper square shall be printed the word "Yes," and immediately to the right of the lower square shall be printed the word "No." To the right of the words "Yes" and "No" shall be printed a bracket embracing these words and to the right of the bracket shall be printed across the ballot, to not nearer than one and one-half inches from the four-point diagram rule at the right of the ballot, each public question to be voted upon except as provided by section 19:14-15 of this Title as to state-wide propositions to be printed elsewhere on the ballot. Below each such public question shall be printed two-point diagram rule beginning one and one-half inches to the right of the four-point rule at the left of the ballot and extending to not nearer than one and one-half inches from the four-point rule at the right of the ballot. In place of the last two-point

diagram rule there shall be printed a four-point diagram rule extending across the entire ballot not less than a half inch from the lower edge of the paper and terminating at the lower ends of the four-point diagram rules at either side of the ballot.

4. Section 19:15-27 of the Revised Statutes is amended to read as follows: Section amended.

19:15-27. To vote for any candidates whose names are printed in any column, the voter shall mark a cross $\times$, plus $+$ or check $\checkmark$ in black ink or black lead pencil in the square at the left of the name of each candidate in any column for whom he desires to vote to the number to be elected for each office. Voting.

To vote upon the public questions printed on the ballot the voter shall indicate his choice by marking a cross $\times$, plus $+$ or check $\checkmark$ in black ink or black lead pencil in the square at the left of either the word "Yes" or "No" of each public question.

5. Section 19:15-28 of the Revised Statutes is amended to read as follows: Section amended.

19:15-28. Nothing in this Title shall prevent any voter from writing or pasting under the proper title of office in the column designated personal choice the name or names of any person or persons for whom he desires to vote whose name or names are not printed upon the ballot for the same office or offices, and who shall mark a cross $\times$, plus $+$ or check $\checkmark$ in the square at the left of such name or names. Such writing shall be in black ink or black lead pencil. All pasters shall be printed with black ink on white paper. Voting for personal choice.

6. Section 19:16-3 of the Revised Statutes is amended to read as follows: Section amended.

19:16-3. In canvassing the ballots the district board shall count the votes as follows: Canvassing votes in school elections.

a. If proper marks are made in the squares to the left of the names of any candidates in any column and the total number voted for, for each office, does not exceed the number of candidates

to be elected to each office, a vote shall be counted for each candidate so marked.

b. If proper marks are made in the squares to the left of any names of any candidates in any column and in addition thereto, proper marks are made to the right of said names, a vote shall be counted for each candidate so marked; but if the district board canvassing the ballots or the county board, justice of the Supreme Court or other judge or officer conducting a recount thereof, shall be satisfied that the placing of such marks to the left and right of the names was intended to identify or distinguish the ballot, then the ballot shall not be counted and shall be declared null and void.

c. If no marks are made in the squares to the left of the names of any candidates in any column, but are made to the right of said names, a vote shall not be counted for the candidates so marked, but shall be counted for such other candidates as are properly marked; but if the district board canvassing the ballot or the county board, justice of the Supreme Court or other judge or officer conducting a recount thereof, shall be satisfied that the placing of the marks to the right of the names was intended to identify or distinguish the ballot, the ballot shall be declared null and void.

d. Where the name of any person is written or pasted in the column designated personal choice, and a cross $\times$, plus $+$ or check $\checkmark$ appears in the square to the left of the name, it shall be counted as a vote for such person.

e. In the case of any public question printed on the ballot where a proper mark is made in the square to the left of the word "Yes," it shall be counted as a vote in favor of such public question. If a proper mark is made in the square to the left of the word "No," it shall be counted as a vote against same. If no mark is made in the square to the left of either the word "Yes" or "No" it shall not be counted as a vote either in favor of or against said public question. If a mark is made in each of the squares to the left of both the words

“Yes” and “No” it shall not be counted either as a vote in favor of or against the public question nor shall it invalidate the ballot.

f. If a voter marks more names than three are persons to be elected to an office, or writes or pastes the name of any person in the column designating personal choice, whose name is printed upon the ballot as a candidate under the same title of office, or his choice cannot be determined, his ballot shall not be counted for that office, but shall be counted for such other offices as are properly marked. If a voter marks a cross $\times$, plus $+$ or check $\checkmark$ in the square at the left of the surname of any candidate for President or Vice-President of the United States, and also marks a cross $\times$, plus $+$ or check $\checkmark$ in some of the squares at the left of the names of candidates for presidential electors, it shall count as a vote for all the candidates for presidential electors nominated by a party represented by the candidates for President and Vice-President of the United States.

g. If the mark made for any candidate or public question is substantially a cross $\times$, plus $+$ or check $\checkmark$ and is substantially within the square, it shall be counted for the candidate or for or against the public question, as the case may be. No vote shall be counted for any candidate in any column or for or against any public question unless the mark made is substantially a cross $\times$, plus $+$ or check $\checkmark$ and is substantially within the square.

7. Section 19:16-4 of the Revised Statutes is amended to read as follows:

Section
amended.

19:16-4. In counting the ballots the board shall deem null and void all ballots which are wholly blank, or on which more names have been marked for every office than there are persons to be elected to such office, and on which both “Yes” and “No” have been marked upon every public question. All ballots still remaining in the ballot box after ballots equal in number to the number of names of voters in the registry binders who have voted at such election inclusive of void ballots, have been counted shall be deemed null and void.

Ballots deemed
null and void.

No ballot which shall have, either on its face or back, any mark, sign, erasure, designation or device whatsoever, other than is permitted by this Title, by which such ballot can be distinguished from another ballot, shall be declared null and void, unless the district board canvassing such ballots, or the county board, justice of the Supreme Court or other judge or officer conducting the recount thereof, shall be satisfied that the placing of the mark, sign, erasure, designation or device upon the ballot was intended to identify or distinguish the ballot.

No ballot shall be declared invalid by reason of the fact that the mark made with ink or the mark made with lead pencil appears other than black.

No ballot cast for any candidate shall be invalid by reason of the fact that the name of such candidate may be misprinted, or his Christian name or his initials may be omitted.

No ballot cast for any candidate shall be invalid by reason of the use of any paster permitted by this Title on which the title of office may be printed or the name of such candidate may be misprinted or part of his Christian or surname or initials may be omitted, or because the voter in writing the name of such candidate may misspell the same or omit part of his Christian name or surname or initials.

No ballot shall be declared null and void or invalid, by reason of having a cross ×, plus + or check √ appearing in a square at the left of a blank space, or a space wherein no name is printed.

Section
amended.

8. Section 19:23-25 of the Revised Statutes is amended to read as follows:

Make up and
printing ballot.

19:23-25. The ballots shall be made up and printed in substantially the following form:

Each ballot shall have at the top a coupon at least two inches deep extending across the ballot above a perforated line. The coupon shall be numbered for each of the political parties, respectively, from one consecutively to the number of ballots delivered and received by the election officers of

the respective polling places. Upon the coupon and above the perforated line shall be the words "To be torn off by the judge of election. Fold to this line." Below the perforated line shall be printed the words "Official Democratic Party Primary Ballot," or "Official Republican Party Primary Ballot," or, as the case may be, naming the proper political party, as provided in this Title; below which and extending across the ballot in one or more lines, as may be necessary, shall be printed the words

..... name of municipality
 ward election district
 date of election John Doe,
 municipal clerk; the blank spaces shall be filled in with the name of the proper municipality, the ward and the district number and the date of election. The name of the municipal clerk shall be a facsimile of his signature. This heading shall be set apart from the body of the ballot by a heavy diagram rule. Below this rule shall be printed the following directions instructing the voter how to indicate his choice for each office and position, and for how many persons to vote for each office and position: To vote for any person whose name is printed upon this ballot mark a cross $\times$, plus + or check $\checkmark$ with black ink or black lead pencil in the square at the left of the name of such person. To vote for any person whose name is not printed upon this ballot write or paste the name in the blank space under the proper title of office and mark a cross $\times$, plus + or check $\checkmark$ with black ink or black lead pencil in the square at the left of the name of such person. Below these instructions shall be printed a heavy diagram rule below which shall be printed the titles of offices and positions for which candidates are to be voted for at the primary election, together with such directions to the voter as may be necessary, as "Vote for one," "Vote for two," or a greater number, as the case may be. Underneath the proper title of office and position shall be printed the names of all those persons certified as candidates for the offices to the municipal

clerk by the county clerk as hereinbefore provided, and the names of persons indorsed as such candidates in petitions on file in the office of the municipal clerk as they appear signed to the certificate of acceptance. The name of any person indorsed in a petition as provided who shall fail to certify his consent and agreement to be a candidate for nomination to the office specified therein shall not be printed upon the ballots to be used at the primary election. In the case of a vacancy among nominees the name of the person selected in the manner provided in this Title to fill same shall be printed upon the ballots in the place of the person vacating such nomination. The candidates shall be arranged in groups and the groups bracketed in all cases where the petitions indorsing such candidates request such grouping. The designation named by candidates in their petitions for nomination, as provided by this Title shall be printed to the right of the names of such candidates or groups of candidates in as large type as the space will allow. Immediately to the left and on the same line with the name of each candidate for office and position shall be printed a square approximately one-quarter of an inch in size, or by printing vertical single line rules connecting the single line rules between the names of the candidates and thus form a square in which the voter shall indicate his choice. A single light-faced rule shall be used to separate the different names in each group of candidates. A heavy diagram rule shall be used between each group of candidates for different offices. Where candidates are arranged in groups and the groups bracketed, the groups shall be separated from other groups and candidates by two single line rules approximately one-eighth of an inch apart.

Space left
for personal
choice.

Each primary ballot shall contain, at the end of the list of candidates for each different office, blank squares and spaces or lines equal to the number of persons to be elected to the office, for the purpose of allowing any voter to write or paste the name

of any person for whom he desires to vote for any office or party position.

9. Sections 19:14-11, 19:14-17, 19:16-1, 19:23-3, 19:23-4, 19:23-26, 19:23-43, 19:23-44 and 19:26-3 of the Revised Statutes are repealed. Sundry sections repealed.

10. This act shall take effect immediately.
Approved May 6, 1947.

CHAPTER 105

AN Act concerning militia, amending section 38:2-2 of the Revised Statutes as amended by chapter one hundred nine of the laws of one thousand nine hundred and forty-one, and amending sections 38:2-10 and 38:2-17 of the Revised Statutes.

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

1. Section 38:2-2 of the Revised Statutes is amended to read as follows: Section amended.

38:2-2. Staff of Governor.

The staff of the Governor shall consist of: Governor's staff.

a. Executive: The Chief of Staff, who shall be selected by the Governor from the general officers in the active military service of this State and who shall serve in such capacity in addition to his other duties.

b. Administrative: The Adjutant-General and the Quartermaster-General.

c. Personal: Six personal aides-de-camp whose term of office, unless sooner terminated, shall expire with that of the Governor who shall have appointed them, one of whom may be appointed by the Governor with the rank of colonel, the other five shall be detailed from the commissioned officers of the national guard of rank below that of colonel

or from the commissioned officers of the naval militia of 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.

2. Section 38:2-10 of the Revised Statutes is amended to read as follows:

Adjutant-
General's
duties.

38:2-10. Duties of Adjutant-General.

Except as otherwise directed by the Governor, the Adjutant-General shall:

a. Under the direction of the Governor and his Chief of Staff, be charged with the supervision of all matters pertaining to the recruiting, organizing, mobilization, command, discipline, training and administration of all departments, corps and troops:

b. Perform all duties required of him by the statutes of the United States and of this State, and the regulations issued thereunder, now or hereafter promulgated;

c. Supervise the preparation and submission of all returns and reports required by the war department;

d. Keep in his office and be the custodian of records of officers and enlisted men and all other records and papers required by law or regulations to be filed therein:

e. Record, authenticate and communicate to troops and individuals in the militia all orders, instructions and regulations;

f. Cause to be procured, printed and circulated to those affected and concerned, the laws, regulations, books, blank forms and other publications governing the military and naval forces that may be required to carry into effect the provisions of this subtitle and the proper administration of the militia;

g. Prepare and issue commissions to all officers properly certified and qualified therefor;

h. Have an appropriate seal and affix an impression of the same to all certificates of record issued from his office; and

i. Render such professional aid and assistance and perform such other military duties, not otherwise assigned, as may be ordered by the Governor.

3. Section 38:2-17 of the Revised Statutes is amended to read as follows:

38:2-17. Duties of the Quartermaster-General.

Except as otherwise directed by the Governor, the Quartermaster-General, under the direction of the Governor and his Chief of Staff, shall be charged with and have direction of:

a. The purchase and procurement of all supplies and stores for the maintenance of the militia of the State;

b. All work pertaining to the maintenance of the camp grounds and rifle range;

c. The construction, alteration, maintenance and repair of armories, buildings, structures, and utilities used or intended to be used by the militia;

d. The repair of all uniforms, arms and equipment;

e. The storage and issuance of all supplies;

f. The acquisition and leasing of all real estate;

g. The transportation of the militia, supplies and equipment;

h. The furnishing of means of transportation of all classes and kinds required; and

i. Such other duties as may be ordered by the Governor.

4. This act shall take effect immediately.

Approved May 6, 1947.

CHAPTER 106

AN ACT concerning counties, and amending section
40:23-27 of the Revised Statutes.

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

Section
amended.

1. Section 40:23-27 of the Revised Statutes is hereby amended to read as follows:

To advertise
for bids.

40:23-27. Whenever it is reasonably apparent that the value of such personal property, except live stock, about to be disposed of at any one time or in the course of any one transaction is likely to exceed one thousand dollars (\$1,000.00), the board of chosen freeholders shall publicly advertise for bids in the manner provided in section 40:25-8 of this Title and shall sell the property to the highest bidder.

2. This act shall take effect immediately.

Approved May 6, 1947.

CHAPTER 107

AN ACT to amend and supplement "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," approved March eighteenth, one thousand nine hundred and forty (P. L. 1940, c. 17), as said title was amended by chapter one hundred thirty-seven of the laws of one thousand nine hundred and forty-one.

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

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

Section
amended.

44. Each holder of a permit shall distribute all sums deposited in any pool to the winners thereof, less an amount which in harness races shall not exceed fourteen per centum (14%) of the total deposits plus the breaks and which in other races shall not exceed ten per centum (10%) of the total deposits plus the breaks. The breaks are hereby defined as the odd cents over any multiple of five cents (\$0.05), calculated on the basis of one dollar (\$1.00) otherwise payable to a patron. There shall be paid to the commission for the use of the State by each permit holder in each calendar year, except in the calendar year one thousand nine hundred

C. 5:5-64.
Distribution
of winnings.

Breaks.

and forty-seven, a share of the breaks to be based on the average daily contributions to the pari-mutuel pools conducted or made on such permit holder's track during the period allotted for each horse race meeting at such track in such year which shall be computed at the percentage applicable to the range within which such average daily contributions fall, according to the table hereinafter set forth, after such average shall have been determined by dividing the total contributions during such period by the number of days on which such pools were conducted or made:

<i>Range of average daily pari-mutuel contributions:</i>	<i>State's share of breaks:</i>
Not exceeding \$999,999.99	None
Over \$999,999.99 but not over \$1,049,999.99	Twenty per centum (20%)
Over \$1,049,999.99 but not over \$1,099,999.99	Forty per centum (40%)
Over \$1,099,999.99 but not over \$1,199,999.99	Sixty per centum (60%)
Over \$1,199,999.99	One hundred per centum (100%)

Payment of
State's share.

Such State's share of the breaks shall be paid by such permit holder to the commission not later than the seventh day after the close of the period allotted for each horse race meeting at such track in said year, and shall be accompanied by a report under oath showing the daily and total amount of such breaks together with such other information as the commission may require. All sums held by any permit holder for payment of outstanding pari-mutuel tickets not claimed by the person or persons entitled thereto within sixty days from the time such tickets are issued, shall be paid to the commission upon the expiration of such sixty-day holding period.

There shall be paid to the commission for the use of the State by each permit holder in the calendar year one thousand nine hundred and forty-seven a share of the breaks to be based on the average daily contributions to the pari-mutuel pools conducted or made on such permit holder's track during the period allotted for each horse race meeting at such track in such year which shall be computed at the percentage applicable to the range within which such average daily contributions fall, according to the table hereinafter set forth, after such average shall have been determined by dividing the total contributions during such period by the number of days on which such pools were conducted or made:

Method of
computing.

<i>Range of average daily pari-mutuel contributions:</i>	<i>State's share of breaks:</i>
Not exceeding \$999,999.99	None
Over \$999,999.99 but not over \$1,249,999.99	Eighteen per centum (18%)
Over \$1,249,999.99	One hundred per centum (100%)

Such State's share of the breaks shall be paid by such permit holder to the commission not later than the seventh day after the close of the period allotted for each horse race meeting at such track in said calendar year one thousand nine hundred and forty-seven, and shall be accompanied by a report under oath showing the daily and total amount of such breaks together with such other information as the commission may require.

Payment.

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

Section
amended.

46. Every permit holder engaged in the business of conducting horse race meetings under this act shall pay to the commission in each calendar year a sum equal to four per centum (4%) of so much of the total contributions to all pari-mutuel pools conducted or made during such calendar year on

C. 5:5-66.
Payments to
commission,
percentages.

any and every horse race track granted a permit under this act as does not exceed fifty million dollars (\$50,000,000.00); five per centum (5%) of so much of such total contributions as exceeds fifty million dollars (\$50,000,000.00) but does not exceed fifty-two million five hundred thousand dollars (\$52,500,000.00); six per centum (6%) of so much of such total contributions as exceeds fifty-two million five hundred thousand dollars (\$52,500,000.00) but does not exceed fifty-five million dollars (\$55,000,000.00); seven per centum (7%) of so much of such total contributions as exceeds fifty-five million dollars (\$55,000,000.00) but does not exceed fifty-seven million five hundred thousand dollars (\$57,500,000.00); and eight per centum (8%) of so much of such total contributions as exceeds fifty-seven million five hundred thousand dollars (\$57,500,000.00). Payment on account of such sum shall be made every seventh day of any and every race meeting in the amount then due as determined in the manner provided above, and shall be accompanied by a report under oath showing the total of all such contributions, together with such other information as the commission may require. No admission or amusement tax, excise tax, license or horse racing fee of any kind, except as expressly provided in this act, shall be assessed or collected from any permit holder by the State of New Jersey, or by any county or municipality, or by any other body having power to assess or collect license fees or taxes.

No other charges.

C. 5:5-67.1.
Records of
permit holder.

3. The State Commissioner of Taxation and Finance shall prescribe a uniform method by which permit holders engaged in the business of conducting horse race meetings shall be required to maintain complete and detailed financial accounts and records relating to the operations of their tracks, and it shall be the duty of each permit holder to comply therewith.

Annual audit.

The State Commissioner of Taxation and Finance shall also annually cause to be made by some competent person or persons in his department a

thorough audit of the books and records of each permit holder, which audit shall be kept on file in his office at all times, and a copy of which shall be forwarded to the commission immediately upon the completion thereof; and each permit holder shall permit access to its books and records for the purpose of having such audit made, and shall produce, upon written order of the head of said department, any and all papers and information required for such purpose.

The commission may, after hearing, revoke the permit of any permit holder failing to comply with the provisions of this section, and every such failure shall be reported to the commission by the State Commissioner of Taxation and Finance. Revocation
of permit.

4. This act shall take effect immediately.

Approved May 6, 1947.

CHAPTER 108

AN ACT concerning the militia of this State, amending sections 38:1-1 and 38:3-30 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 shall be more than seventeen years of age, and who in the case of the New Jersey State guard shall be not more than fifty-five years of age, and in all other cases, except as otherwise hereinafter Militia.

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.

Classes of militia.

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.

Militia defined.

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.

Section amended.

2. Section 38:3-30 of the Revised Statutes is amended to read as follows:

Who may be enlisted.

38:3-30. Except as otherwise provided in regulations, any able-bodied male person, between the ages of seventeen and forty-five years, who is a citizen of the United States, may be enlisted in the national guard. Any such person may be re-enlisted notwithstanding he is over forty-five years of age; *provided*, he is less than sixty-four years of age.

Proviso.

Approved May 6, 1947.

CHAPTER 109

AN ACT establishing the thirteenth day of September a day of annual special school observance, in honor of the memory of Commodore John Barry.

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

C. 18:14-89.1.
Commodore
John Barry
Day.

1. The thirteenth day of September in each year shall be known as Commodore John Barry Day, except when such day shall fall on Saturday, then the day preceding, or on Sunday, then the day following.

2. It shall be the duty of the authorities of every public school in this State to assemble the pupils in their charge on that day in the school building, or elsewhere, as they may deem proper, and to provide for and conduct such exercises or instruction as shall tend to (1) acquaint such pupils with the achievements of Commodore John Barry, "Father of the American Navy," and (2) honor the memory of Commodore Barry.

C. 18:14-89.2.
Observance,
purpose.

3. The Commissioner of Education shall prescribe a course of exercises or instructions which shall be adopted and observed by public school authorities on Commodore John Barry Day.

C. 18:14-89.3.
Exercises and
instructions.

4. This act shall take effect immediately.

Approved May 7, 1947.

CHAPTER 110

AN ACT concerning county and municipal finances, and amending sections 40:1-16, 40:1-59, 40:1-60, 40:1-67, 40:1-69, 40:1-74, 40:1-75 and 40:1-83 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:

Exceptions
to limitations.

a. Obligations for purposes permitted by this article when the expenditure is the result of fire, flood, or other disaster, or of recovery of judgment, unless such judgment is entered

upon default or by consent, and the Director of the Division of Local Government in the State Department of Taxation and Finance has, in his discretion, certified upon a certified copy of such resolution or ordinance as passed on first reading, that, in his opinion, the expenditure is of such description; or

b. Notes to renew, extend or retire notes issued or authorized pursuant to this article or notes or temporary bonds issued or authorized pursuant to the act of which this article is a revision; or

c. Bonds to fund notes issued pursuant to this article, or to fund notes or temporary bonds issued or authorized pursuant to the act of which this article is a revision; or

d. Obligations, for purposes permitted by this article, in an aggregate (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

e. Any obligations of a municipality, if the percentage of net debt as stated in the supplemental debt statement pursuant to subsection five of section 40:1-82 of this Title, together with the amount of notes or bonds issued, or authorized but not issued, for school purposes and included in the gross debt, whether issued or authorized by the municipality or by a school district constituting a separate corporation, and otherwise authorized to

be deducted by the provisions of subsection "c" of section 40:1-77 of this Title, less the amount of any sinking funds applicable to the payment of any such notes or bonds, for school purposes, does not exceed eleven per centum (11%) of the average of the assessed valuations as stated in such supplemental debt statement pursuant to subsection four of section 40:1-82 of this Title; or

f. Obligations deductible, pursuant to subsection "b" of section 40:1-77 of this Title, from the gross debt stated in any annual or supplemental debt statement; or

g. Obligations for purposes permitted by this article if it has been found by order of the State Department of Health which is hereby authorized to make such order in a proper case, that the expenditure and every part thereof, is necessary to protect the public health and to prevent or suppress a present menace to the public health of sufficient gravity to justify the incurrence of debt in excess of statutory limitations, and that no less expensive method of preventing or suppressing such menace exists; or

h. Obligations for purposes permitted by this article when the expenditure is to be made for the purpose of constructing or reconstructing dikes, bulkheads, jetties or similar devices to prevent the enroachment of the sea when the Local Government Board of the Division of Local Government in the State Department of Taxation and Finance 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.

For the purposes of subsection "d" (computed as provided in section 40:1-16.1) and "e" of this section, the Director of the Division of Local Government in the State Department of Taxation and Finance shall prescribe in such detail as he may deem advisable a form of supplemental debt statement, incorporating therein the provisions of the supplemental debt statement prescribed pursuant to section 40:1-83 of this Title. For the purpose of showing annually the cumulative borrowing power of each county and municipality under said subsection "d," the said director shall also prescribe a form of special debt statement to be filed annually with him in accordance with such rules as he may prescribe.

Section
amended.

2. Section 40:1-59 of the Revised Statutes is amended to read as follows:

No contract
until debt
statement
filed.

40:1-59. The governing body shall not make any contract, the payments under which are to be financed pursuant to the provisions of this article, unless and until the county bond resolution or the municipal bond ordinance herein provided for shall have taken effect, and until twenty days after the filing of the duplicate supplemental debt statement in the office of the Director of the Division of Local Government in the State Department of Taxation and Finance pursuant to section 40:1-13 of this Title.

Section
amended.

3. Section 40:1-60 of the Revised Statutes is amended to read as follows:

Authorization
to constitute
appropriation.

40:1-60. The authorization of obligations pursuant to this article shall constitute an appropriation of the proceeds for the purposes stated in the county bond resolution or the ordinance, subject to such regulations as may be prescribed by the Director of the Division of Local Government in the State Department of Taxation and Finance pursuant to any other law.

Section
amended.

4. Section 40:1-67 of the Revised Statutes is amended to read as follows:

Funding
commission.

40:1-67. The Local Government Board of the Division of Local Government in the State Depart-

ment of Taxation and Finance hereby is constituted as a commission to be known as "the funding commission." The commission may adopt a common seal and designate a secretary. Any act of the majority of the members of the commission shall be the act of the commission. Any certifications, indorsements, or consents of the commission may be made by a majority of the members thereof or may be made by the secretary pursuant to its direction and on its behalf. After the issuance of refunding bonds any certification or indorsement of consent, whether made by the members of the commission or the secretary, shall be conclusive, and after the issuance of any refunding bonds in reliance thereon, the validity or regularity thereof may not be contested in any suit, action or proceeding relating to the validity of such refunding bonds. The commission is hereby empowered to examine into any estimates, computations or calculations made in connection with any issue of refunding bonds and to require the production of any and all such papers, documents, witnesses and information and make or cause to be made such audits and such other investigation and do all such other acts and things in connection with the consideration of any issue as it may deem advisable, and to make rules and regulations for the transaction of its business.

5. Section 40:1-69 of the Revised Statutes is Section amended. amended to read as follows:

40:1-69. A certified copy of any county bond resolution or municipal bond ordinance authorizing refunding bonds shall be filed before final passage thereof with the Director of the Division of Local Government in the State Department of Taxation and Finance, together with a complete statement signed by the chief financial officer of the county or municipality as to the outstanding obligations and indebtedness proposed to be funded or refunded by the issuance of the refunding bonds, in such form as may be prescribed by the said director. Information filed.

Section
amended.

Cash basis.

Reserve for
uncollected
taxes.

6. Section 40:1-74 of the Revised Statutes is amended to read as follows:

40:1-74. Any municipality which shall issue refunding bonds under sections 40:1-61 to 40:1-73 of this Title may in the ordinance authorizing such bonds determine that such bonds shall be issued pursuant to this section. After the issuance of refunding bonds authorized by any such ordinance, the municipality shall, unless and until all of such bonds and any renewals or extensions thereof shall have been canceled and paid in full in cash, adopt a budget for each subsequent fiscal year as follows:

Reserve for uncollected taxes. 1. There shall be included in every budget or tax ordinance of such municipality an appropriation under the caption "reserve for uncollected taxes," sufficient in amount so that the anticipated cash receipts for the fiscal year for which such budget or tax ordinance is adopted (hereinafter referred to as the "current fiscal year"), estimated and computed in accordance with subsection (2) of this section, shall equal or exceed the sum of (a) the amounts of all appropriations included in such budget or tax ordinance (except such appropriation under the caption, "reserve for uncollected taxes"), (b) the amounts due or to become due for school, county, state and local district taxes prior to the end of the current fiscal year, (c) the amounts required for the payment of principal and interest during the current fiscal year upon any indebtedness incurred for the creation of any municipal enterprise or utility and of the operating and upkeep cost of such municipal enterprise or utility during such current fiscal year, (d) the amounts required for the payment of principal and interest during the current fiscal year on bonds payable or to be payable in whole or in part out of special assessments on property specially benefited and (e) the amounts of any other anticipated current expenditures of the municipality for current fiscal year, each of the items of which sum is hereinafter for brevity referred to as "lawful yearly expenditure." If the exact

amount of any such lawful yearly expenditure shall not be known at the time of the adoption of such budget or tax ordinance, then the amount thereof shall be estimated by resolution of the governing body of the municipality; *provided, however*, that such estimate shall not be less in amount than the amount of such lawful yearly expenditure for the next preceding fiscal year. In the event that any lawful yearly expenditure shall be included under any one of the above subdivisions "a," "b," "c," "d" and "e," then it shall not be necessary to include such lawful yearly expenditure under any other of said subdivisions. In the event that the liability and actual cash disbursements of the municipality in the current fiscal year for lawful yearly expenditures shall exceed the actual cash receipts in such current fiscal year applicable to such lawful yearly expenditures, there shall be included in the budget or tax ordinance of the municipality adopted in or for the following fiscal year, an appropriation under the caption "cash deficit of preceding year" in an amount equal to or exceeding the amount of such excess of liability and cash disbursements over cash receipts.

Application of cash receipts. 2. In estimating the cash receipts for the current fiscal year for the purpose of determining the amount of the appropriation under the caption "reserve for uncollected taxes" to be included in the budget or tax ordinance of the municipality, the receipt shall not be anticipated of any sum or sums of money which will not be applicable to any lawful yearly expenditure for the current fiscal year or which the governing body does not by resolution declare will be received in cash in full prior to the expiration of the current fiscal year, or in any event of any sum or sums of money other than or in excess of the following:

- a. Surplus revenue, not in excess of the amount thereof appropriated or to be appropriated in such budget or tax ordinance and applicable to any lawful yearly expenditure

for the current fiscal year, to the extent only that such surplus revenue is subject to the immediate use in cash by the municipality at the time of the adoption of such budget or tax ordinance;

b. Any sum or sums of money, applicable to any lawful yearly expenditure for the current fiscal year, certified by an officer, board, agency, or commission of the State as receivable in cash by or for the account of the municipality during the current fiscal year under existing legislation, from such officer, board, agency, or commission, or from the State through such officer, board, agency, or commission, free from any set-off or counterclaim;

c. Miscellaneous revenues anticipated in such budget or tax ordinance, applicable to any lawful yearly expenditure for the current fiscal year, not in any instance or as to any item in an amount in excess of the amount of such miscellaneous revenues collected in cash during the next preceding fiscal year;

d. Collections, applicable to any lawful yearly expenditure for the current fiscal year, of a proportion of the taxes levied or to be levied and payable in the current fiscal year, not in excess of the proportion of the taxes levied and payable during the next preceding fiscal year which was collected in cash during such preceding fiscal year;

e. Collections of a proportion of the delinquent taxes unpaid and owing to the municipality or the collector of the taxing district on the first day of the current fiscal year, not in excess of the proportion of the delinquent taxes unpaid and owing to the municipality or the collector of the taxing district on the first day of the next preceding fiscal year and not subsequently abated, remitted or canceled, which was collected or realized in cash during such preceding fiscal year, to the extent, only, however, that such collections during the cur-

rent fiscal year will not be required by statute to be set aside and applied to the retirement of tax revenue notes or bonds or tax title notes or bonds;

f. Fees, rentals, or charges for service rendered by any municipal enterprise or utility, applicable to any lawful yearly expenditure for the current fiscal year, not in excess of the amount of such fees, rentals, or charges received in cash during the next preceding fiscal year;

g. Collection of a proportion of special assessments on property specially benefited finally confirmed at the time of the adoption of such budget or tax ordinance and payable during the current fiscal year and applicable to any lawful yearly expenditure for the current fiscal year, not in excess of the proportion of similar special assessments on property specially benefited, payable during the next preceding fiscal year which was collected in cash during such preceding fiscal year;

h. Any other or additional sums reasonably anticipated as receivable in cash during the current fiscal year from the above or other sources; *provided, however,* that approval thereof and consent thereto by the Director of the Division of Local Government in the State Department of Taxation and Finance be first had and obtained as hereinafter provided. Proviso.

For the purposes of subdivision "e" of this subsection, "delinquent taxes" means all unpaid unabated taxes levied for a prior fiscal year, including the lien value of the tax titles to real estate standing in the name of the municipality. For the purpose of subdivision "g" of this subsection, "special assessments on property specially benefited" includes the lien value of assessment titles to real property standing in the name of the municipality. The receipt shall not be anticipated under any one of the above subdivisions "a," "b," Delinquent taxes defined.

“c,” “d,” “e,” “f,” “g,” and “h” of this subsection of any sum or sums of money the receipt of which is anticipated under any other of said subdivisions.

Proceedings
submitted
to director.

3. No budget or tax ordinance shall be adopted by the governing body of the municipality unless a copy of such budget or tax ordinance has been submitted to the Director of the Division of Local Government in the State Department of Taxation and Finance and the said director has certified upon such copy that such budget or tax ordinance complies with all the requirements of this article. Before making any such certificate, the said director is hereby empowered and directed to examine into and approve the appropriations required by this article to be included in such budget or tax ordinance, under the caption “reserve for uncollected taxes” and “cash deficit of preceding year” and any estimates, computations or calculations made in connection therewith, and to require the production of any or all such papers, documents, witnesses and information and make such audits and such other investigation and do all such other acts and things as he may deem advisable, and he is hereby empowered and directed to include such appropriations calculated in pursuance of this article in any such budget or tax ordinance or in any tax levy in the municipality. Any budget or tax ordinance may be finally adopted by the governing body of a municipality at any time within ten days after the said director shall have made the certificate with respect thereto provided for by this section, whether or not the time for the final adoption thereof prescribed by any other law shall have passed. Any expenditure by the said director incurred in making any such audit, examination or investigation shall be charged to and recovered from the municipality and may be included by him in the budget or tax ordinance so examined and investigated or in any tax levy in such municipality. The provisions of subsections (1) and (2) of this section shall constitute and be deemed a

contract between the holders of any refunding bonds issued under an ordinance in which it shall have been determined that such bonds shall be issued pursuant to this section and the municipality which shall have issued the same, and shall be enforceable by mandamus or other appropriate action, suit or proceeding at law or in equity instituted by any such holder on behalf of all the other holders thereof, or by the owner of any property subject to taxation in such municipality; *provided, however*, that such provisions and any contract or contracts constituted thereby shall in any event be subject to repeal, alteration, abrogation or amendment at the will of the Legislature at the expiration of ten years from the date of any bonds issued pursuant to this section.

Proviso.

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

Section amended.

40:1-75. The chief financial officer of each county and of each municipality shall make and file during the first month of each fiscal year, in the case of a county in the office of the clerk of the board of chosen freeholders, or in the case of a municipality in the office of its clerk, and in the office of the Director of the Division of Local Government in the State Department of Taxation and Finance a statement of the debt condition of the county or municipality as of the last day of the next preceding fiscal year, estimating the amount of any item which may be indefinite or unascertainable. Such statement shall be known as the annual debt statement. All such debt statements shall be under oath and shall be a public record open to public inspection. The said director shall prescribe in such detail as he may deem advisable the form of annual debt statement required by this article.

Annual debt statement.

8. Section 40:1-83 of the Revised Statutes is amended to read as follows:

Section amended.

40:1-83. The Director of the Division of Local Government in the State Department of Taxation and Finance shall prescribe in such detail as he

Form of debt statement.

may deem advisable the form of supplemental debt statement required by this article.

Act effective.

9. This act shall take effect July first, one thousand nine hundred and forty-seven.

Approved May 7, 1947.

CHAPTER 111

AN ACT to amend "An act concerning county and municipal finances, and supplementing chapter one of Title 40 of the Revised Statutes," approved April twenty-fourth, one thousand nine hundred and forty-five (P. L. 1945, c. 220).

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

Section
amended.

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

C. 40:1-25.1.
Application
for relief.

1. If the governing body of any county or municipality proposing to issue bonds under the authority of chapter one of Title 40 of the Revised Statutes believes that the application to such bonds of the limits on maturities or amounts of annual installments or both as set forth in section 40:1-25 of said Title will adversely affect the financial position of such county or municipality, it may make application in writing to the local government board of the Division of Local Government in the State Department of Taxation and Finance setting forth such belief and the reasons therefor and containing a schedule of proposed maturities or amounts of annual installments or of both which are desired. If the said local government board finds such belief to be well founded, it may, by order, fix the maturities or the amounts of annual installments or both as desired by the applicant, or it may, by order, fix any other maturities or amounts

Maturities
fixed.

of annual installments or both as, in its opinion, the circumstances warrant. If such proposed bonds are issued, the maturities and amounts of annual installments fixed by order of the said local government board, and not those contained in section 40:1-25 of said Title, shall apply to such bond issue.

2. This act shall take effect July first, one thousand nine hundred and forty-seven.

Note:
Act effective.

Approved May 7, 1947.

CHAPTER 112

AN ACT to amend "An act relative to the purchase and retirement of bonds, notes or other obligations by counties and municipalities and the transfer of unappropriated funds to the sinking funds of such counties and municipalities, and supplementing article one of chapter one of Title 40 of the Revised Statutes," approved December twenty-first, one thousand nine hundred and forty (P. L. 1940, c. 240), as said title was amended by chapter one hundred thirty-seven of the laws of one thousand nine hundred and forty-four.

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. 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: C. 40:1-60.1.

(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 Retiring bonds.

Purchase price.	to the purchase and retirement of any of its then outstanding bonds, notes or other obligations. The purchase price may be the face value, or may be below or above the face value, of such bonds, notes or other obligations. Any such proposed purchase shall be subject to the following provisions:
Provisions:	
Proof of available funds;	(a) Before adoption of the resolution, the governing body shall cause satisfactory proof to be filed with the Director of the Division of Local Government in the State Department of Taxation and Finance that such funds then are, or within a reasonable time will be, available.
Approval of purchase;	(b) Before contracting to purchase any bonds, notes or other obligations at a price above their face value, the governing body shall submit such resolution to the said director for approval by the local government board of the Division of Local Government in the State Department of Taxation and Finance. Before taking definite 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, notes or other obligations on such notice and subject to such rules as the board may prescribe. On receipt of such tenders, the governing body shall report them to the said 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, notes or other obligations, 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, notes or other

obligations 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.

After purchase of any bonds, notes or other obligations, satisfactory proof of cancellation of the bonds, notes or other obligations and of any coupons thereto annexed shall forthwith be filed with the Director of the Division of Local Government in the State Department of Taxation and Finance by the chief financial officer of the county or municipality.

Cancellation;

Any county or municipality, by resolution adopted by the vote of at least two-thirds of the members of its governing body, may at any time appropriate to and pay into any sinking fund maintained by such county or municipality, any unappropriated funds; *provided*, a certified copy of such resolution shall be submitted to the local government board and the local government board, by resolution, shall determine that it is satisfied by proof submitted to it that such funds then are, or within a reasonable time will be, available, and shall consent to such appropriation.

Payments into sinking fund.

Proviso.

2. This act shall take effect July first, one thousand nine hundred and forty-seven.

Note:
Act effective.

Approved May 7, 1947.

CHAPTER 113

AN ACT concerning county and municipal budgets, amending sections 40:2-2, 40:2-7, 40:2-8, 40:2-9, 40:2-10, 40:2-14, 40:2-16, 40:2-17, 40:2-18, 40:2-22, 40:2-31, 40:2-52, 40:2-53 and 40:2-55 of the Revised Statutes and repealing sections 40:2-23, 40:2-47 and 40:2-54 of the Revised Statutes.

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

Section amended.	1. Section 40:2-2 of the Revised Statutes is amended to read as follows:
Terms defined:	40:2-2. Definitions. As used in this chapter and in any act amendatory thereof or supplemental thereto, unless the context indicates otherwise:
Governing body;	"Governing body" means, in the case of a county, the board of chosen freeholders, and, in the case of a municipality, the commission, council, board, or body, by whatever name it may be known, having charge of the finances of the municipality;
Fiscal year;	"Fiscal year" means the calendar year beginning on January first and ending on December thirty-first;
Budget year;	"Budget year" means the fiscal year for which a budget is prepared or adopted;
Director;	"Director" means the Director of the Division of Local Government in the State Department of Taxation and Finance;
Board.	"Board" means the Local Government Board of the Division of Local Government in the State Department of Taxation and Finance.
Section amended.	2. Section 40:2-7 of the Revised Statutes is amended to read as follows:
Budget, adoption, hearing.	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 director.

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

Section
amended.

40:2-8. The hearing on the budget shall be held at the time and place specified in the published notice, but may be adjourned from time to time until the hearing is closed. After closing the hearing the governing body may, by resolution, adopt the budget with or without alterations or amendments; *provided, however*, nothing herein contained shall prevent the governing body from making any amendments which may be required by the director prior to the time for holding the hearing on the budget. However, no alteration or amendment, except pursuant to section 40:2-20 of this Title, adding to the budget any new item of appropriation in amount in excess of one per centum (1%) of the total amount of appropriations as stated in the approved budget, or increasing or decreasing any item of appropriation by more than ten per centum (10%) of the amount of such item as stated in the approved budget, or increasing the amount to be raised by taxes by more than five per centum (5%) of such amount as stated in the approved budget, shall be made in the approved budget, unless the governing body shall first, at a public hearing, grant to taxpayers and other interested persons an opportunity to present objections and to be heard with respect to the alteration or amendment, after publishing, in at least one newspaper circulating in the municipality or

Hearing and
adoption.

Proviso.

New items,
limitations.

county, as the case may be, not less than two days prior to the hearing, a notice describing the alteration or amendment and specifying the time and place when and where the hearing will be held.

Section
amended.

4. Section 40:2-9 of the Revised Statutes is amended to read as follows:

Consent to
amend ap-
proved budget.

40:2-9. Unless the director shall give his prior written consent thereto, no amendment of the approved budget as certified by the director pursuant to section 40:2-53 of this Title shall be made which omits or decreases any appropriation or inserts or increases any statement or estimate of anticipated revenues (except the amount to be raised by taxation) which is required by section 40:2-52 of this Title to be examined by the director.

Section
amended.

5. Section 40:2-10 of the Revised Statutes is amended to read as follows:

Date of
adoption.

40:2-10. A county budget shall be adopted not later than the fifty-fifth day after the beginning of the budget year. A municipal budget shall be adopted not later than the seventieth day after the beginning of the budget year. No budget may be adopted, however, unless the director shall have certified his approval thereof and returned the same within the period hereinabove provided. The budget may be adopted at any time within ten days after the director shall have certified his approval thereof and returned the same. Within three days after its adoption, two certified copies of the budget as adopted shall be filed in the office of the director.

Copies filed.

Section
amended.

6. Section 40:2-14 of the Revised Statutes is amended to read as follows:

Comparative
statement.

40:2-14. For the information of taxpayers, at the head of the budget as published there shall appear in bold-face type a statement setting forth separately in parallel columns the amount of the tax levy for State, county, school and local purposes in the case of a municipal budget, and for county purposes in the case of a county budget, in the two fiscal years next preceding the budget year, together with the amount (actual or estimated, as

the case may be) to be raised by taxation for such purposes in such budget year. There shall be likewise set forth in such statement the amount of any State aid received and to be received in such years and the amount by which such county or municipality has benefited and will benefit by taxes to be raised by the State from sources other than the general property tax under the provisions of any legislation which is now in force or may hereafter be enacted. Not later than two weeks after the final adoption of the budget, the items in such statement which were estimates shall be corrected in so far as the actual amounts shall be known and such statement as so corrected shall be separately published at least once in at least one newspaper circulating in the municipality or county, as the case may be. Such statement shall be in such form and any estimates therein contained shall be made in accordance with such rules and regulations as the director may prescribe.

Amount of
State aid
shown.

Estimates
corrected.

Form of
statement.

7. Section 40:2-16 of the Revised Statutes is amended to read as follows:

Section
amended.

40:2-16. As used in this chapter:

“Surplus revenue” shall include:

Surplus
revenue
defined.

a. The unexpended balances of the budget appropriations of the previous year in excess of obligations incurred during the said fiscal year therefor, which are properly chargeable thereto; except that, if no other means have been provided therefor, there shall be first deducted from the aggregate of such unexpended balances the amount involved in the adjustment of the duplicate and of taxes which shall have been cancelled or remitted during such fiscal year or charged off as uncollectible.

b. The receipts from miscellaneous revenues during any fiscal year which are in excess of the aggregate amount of the classified miscellaneous revenues as stated in the budget of such year.

c. The revenues coming into the general treasury from time to time from any and all sources, applicable to the lawful expenditures for the fiscal year of the municipality or county, as the case may be, which are not included in any of the several items of anticipated revenues as stated in the budget of such year.

Limitation.

Unless the director shall give his prior written consent thereto, the amount of any item of "surplus revenue appropriated" included in any budget shall not exceed the amount of surplus revenue held in cash at the beginning of the budget year, less all outstanding commitments or obligations against such cash.

Section amended.

8. Section 40:2-17 of the Revised Statutes is amended to read as follows:

Miscellaneous revenues.

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 shall include such amounts as may reasonably be expected to be realized in cash during the budget year from the tax on Class II railroad property and from the municipality's share of the railroad franchise taxes. 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 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 director 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.

9. Section 40:2-18 of the Revised Statutes is amended to read as follows: Section amended.

40:2-18. "Dedicated revenues" shall include all amounts reasonably expected to be realized in cash during the budget year from any source other than the issuance of bonds or notes and required by law to be applied to a specific purpose. Dedicated revenues stated in the budget shall be classified according to their respective sources and shall be stated in a separate section of the budget together with the appropriations to the purposes to which such dedicated revenues are applicable. In the event such appropriations include payments to be made for the principal of or interest on bonds or notes, the amount required for such purpose shall be separately stated. Any anticipated deficit in expenditures to which dedicated revenues are applicable shall be provided for by an appropriation in the budget. Such revenues, when derived from the collection of special assessments on property specially benefited, shall not be stated in the budget in an amount which is in excess of the amount of the appropriation in such budget to the purposes to which such revenues are applicable or in excess of the amount of the revenues so derived which is held in cash at the beginning of the fiscal year; *provided, however*, nothing herein contained shall prevent a municipality from paying in full or on account at maturity any note or notes to which such revenues are applicable. Such revenues, when derived from any other source, including publicly owned or operated utilities or enterprises, shall Dedicated revenues.

Proviso.

not be stated in the budget in an amount which is in excess of the amount of the appropriations in such budget to the purposes to which such revenues are applicable or in excess of the amount actually realized in cash from the same source during the next preceding fiscal year, unless the director 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.

Section
amended.

10. Section 40:2-22 of the Revised Statutes is amended to read as follows:

Cash basis.

40:2-22. A county or municipality shall be upon a full cash basis when all obligations and disbursements representing lawful expenditures under a budget for the current fiscal year, together with all current obligations and deficits remaining unpaid from all preceding fiscal years are paid or provided for in full from cash reserves and revenues actually collected during such current fiscal year.

Section
amended.

11. Section 40:2-31 of the Revised Statutes is amended to read as follows:

Emergency
appropriations.

40:2-31. A county or municipality may, in accordance with this section, make emergency appropriations after the adoption of a budget for a fiscal year for a purpose which was not foreseen at the time of the adoption of the budget or for which adequate provision was not made in the budget. Such an appropriation shall be made only to meet a pressing need for public expenditure, to protect or promote the public health, safety, morals or welfare or to provide for temporary housing or relief of the poor prior to the ensuing budget year. An emergency appropriation shall be made only in accordance with subdivisions (1) or (2) of this section, as the case may be. The total amount of all emergency appropriations shall be provided in full by the local governing body as a deferred

charge in the budget of the next succeeding fiscal year.

(1) An emergency appropriation other than an appropriation to provide for relief of the poor which together with all prior emergency appropriations other than appropriations for relief of the poor made during the same year, does not exceed three per centum (3%) of the total of current operating appropriations made in the budget adopted for that year or an emergency appropriation for the relief of the poor shall be made as follows: The governing body shall, by resolution adopted by two-thirds vote of all the members, declare that an emergency exists requiring a supplementary appropriation. The resolution shall be in the form and content prescribed by the Board, and shall set out the nature of the emergency in full. A copy of the resolution shall be filed forthwith with the director.

Poor relief.

(2) An emergency appropriation other than an appropriation for the relief of the poor which together with all prior emergency appropriations other than appropriations for relief of the poor made during the same year exceeds three per centum (3%) of the total current operating appropriations in the budget for that year shall be made as follows: The governing body shall, by resolution adopted by two-thirds vote of all members, petition the commissioner for permission to exceed the limitation of three per centum (3%). The petition shall be in the form and content prescribed by the Board, and shall set out the nature of the emergency in full. The director shall consider the petition and, if requested by local taxpayers or by the local governing body, hold a hearing. The director shall, within five days after receipt of the petition, or if a hearing is held, after the hearing, determine whether an emergency exists which requires an excess appropriation, and the amount of expenditure reasonably required. If the director approves an excess appropriation he shall fix the maximum amount for the emergency

Petition to exceed limitations.

appropriation. The governing body shall not exceed the maximum amount fixed by the director.

Emergency
notes.

Any county or municipality may borrow money and issue its negotiable notes to meet any such emergency appropriation. Each such note shall be authorized by resolution of the governing body, shall be designated an "emergency note," and may be renewed from time to time, but all such notes and any renewals thereof shall mature not later than the last day of the fiscal year next succeeding the fiscal year in which the emergency appropriation was made to meet which such notes were issued. The provisions of sections 40:2-40 and 40:2-41 and 40:2-43 to 40:2-46 of this Title shall apply to such notes as fully as though such notes were mentioned therein.

Provisions
of law
applicable.

Affidavit of
amount and
validity.

For the purposes of this section, an affidavit of a financial officer of the county or municipality shall be a conclusive determination of the total amount of any such emergency appropriations made in any fiscal year and of the amount of all budget appropriations for such year. If any resolution providing for the issuance of notes to meet any such emergency appropriation shall recite or determine that such appropriation was required to meet a pressing need for public expenditure to protect or promote the public health, safety, morals or welfare or to provide for temporary housing or relief of the poor, such recital or determination shall be deemed to be true for the purpose of determining the validity of such notes and the county or municipality issuing such notes and all others interested shall forever thereafter be estopped from denying the same.

Section
amended.

12. Section 40:2-52 of the Revised Statutes is amended to read as follows:

Examination
of budget.

40:2-52. The director shall examine the budget as filed in his office pursuant to section 40:2-7 of this Title with reference to all estimates of revenue and to the following appropriations:

a. Payment of interest and debt redemption charges,

- b. Deferred charges and statutory expenditures,
- c. Payment of floating debt,
- d. Reserve for uncollectible taxes,
- e. Cash deficit of preceding year,
- f. Reserve for uncollected taxes,
- g. Other reserves and nondisbursement items.

The director shall also examine the budget for detail and accuracy of itemization and for compliance as to form, arrangement and content with the provisions of this chapter and the regulations of the Board.

13. Section 40:2-53 of the Revised Statutes is amended to read as follows: Section amended.

40:2-53. The director shall determine upon the basis of information and data available whether: Scope of examination by director.

- a. All estimates of revenue are reasonable, accurate, correctly stated and in accordance with the provisions of this chapter and the regulations of the board.

- b. Specific items of appropriations enumerated in section 40:2-52 comply with the requirements of this chapter and the regulations of the board.

- c. Items of appropriation are fully and correctly stated.

- d. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality or county.

- e. In all other respects the budget complies with the requirements of law and the regulations of the board.

The director shall approve the budget if he finds that all requirements of law and of the regulations of the board have been met. The director shall refuse to approve the budget if the requirements of law or of the regulations of the board have not Action by director.

been met. The director in refusing to approve a budget shall not substitute his discretion with respect to the amount of an appropriation where such amount is not made mandatory because of the requirements of law.

Result of
director's
determination
certified.

The director shall certify the result of his determination to the governing body immediately. If the budget is not approved, a full statement of reasons with instructions for correction of the budget shall be transmitted with notice of refusal to approve. A governing body shall not finally adopt a budget until a certification of approval by the director has been received. If the budget is not approved, the certification of the director shall be published at least once in a newspaper of general circulation within the municipality. Cost of publication shall be paid by the county or municipality as the case may be.

Budget
amended in
accordance
with
instructions.

A governing body shall amend a disapproved budget in accordance with the instructions of the director except that the governing body may petition the Board for a hearing upon the budget. If a petition for hearing is filed with the Board, the director shall postpone the time for final adoption of the budget as required by section 40:2-10 to permit a reasonable opportunity for hearing and re-determination in accordance with this section.

Judicial
review.

If an aggrieved party applies for judicial review of a final determination made by the Board, the local governing body shall, nevertheless, adopt the budget in accordance with the Board's determination, subject to such subsequent adjustment as may be consonant with the court's decision.

Budget
amended in
accordance
with court's
decision.

If the final decision of the court is adverse to the Board's determination, the director shall, forthwith, by written order, authorize the immediate amendment of the budget by resolution of the local governing body, in accordance with the court's decision.

14. Section 40:2-55 of the Revised Statutes is amended to read as follows: Section amended.

40:2-55. For the purposes of this chapter the director may hold hearings and make such investigations as may be appropriate to the exercise of his powers, in accordance with law. Hearings, investigation.

A final order of the director shall be binding upon the governing body and shall be complied with. The director may apply for compulsory process to enforce an order in accordance with law. Final order binding.

If a governing body fails or refuses to comply with a final order of the director, the members of a governing body who willfully fail or refuse to comply shall each be subject to a personal penalty of twenty-five dollars (\$25.00) for each day after the date fixed for final action, that failure or refusal to comply continues. The amount of the penalty may be recovered by the director in the name of the State as a personal debt of the member of the governing body, and shall be paid, upon receipt, into the State treasury. Penalty.

15. Sections 40:2-23, 40:2-47 and 40:2-54 of the Revised Statutes are repealed. Sundry sections repealed.

16. This act shall take effect July first, one thousand nine hundred and forty-seven. Act effective.

Approved May 7, 1947.

CHAPTER 114

AN Act to amend "An act concerning county and municipal finances, and supplementing chapter two of Title 40 of the Revised Statutes," approved February second, one thousand nine hundred and forty-two (P. L. 1942, c. 5).

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

Section
amended.

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

C. 40:2-18.3.
Approval
of director.

3. The inclusion of said dedicated revenues, as provided by this act, shall be subject to the approval of the Director of the Division of Local Government in the State Department of Taxation and Finance and the director, before approval, may require such explanatory statement or data in connection therewith as he deems advisable for the information of the public.

Note:
Act effective.

2. This act shall take effect July first, one thousand nine hundred and forty-seven.

Approved May 7, 1947.

CHAPTER 115

AN Act to amend "An act concerning county and municipal budgets, and amending section 40:2-25 of the Revised Statutes and supplementing chapter two of Title 40 of the Revised Statutes," approved January thirty-first, one thousand nine hundred and thirty-nine (P. L. 1939, c. 7).

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

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

2. Notwithstanding the provisions of sections 40:2-25 and 40:2-28, items of anticipated revenues may be shown in a budget as additional amounts to be received from such anticipated revenues or as amounts to be received from other than regular sources; *provided*, the Director of the Division of Local Government in the State Department of Taxation and Finance shall determine upon application by the governing body that the facts clearly warrant the expectation that such item or items will actually be realized in cash during the budget year; *and provided further*, that the director shall have certified such determination in writing to the county or municipality, as the case may be. C. 40:2-28.1.
Shown as additional revenue.

Proviso.

Proviso.

2. This act shall take effect July first, one thousand nine hundred and forty-seven. Note:
Act effective:

Approved May 7, 1947.

CHAPTER 116

AN ACT to amend "An act concerning county and municipal finances, amending sections 40:2-2, 40:2-21, 40:2-22, 40:2-31, 40:2-52, 40:2-53, 40:2-54 and 40:2-55, and supplementing chapter two, Title 40 of the Revised Statutes," approved May fifth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 128).

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

Section
amended.

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

C. 40:2-61.
Capital
budgets.

5. Capital budgets. The governing body of each municipality and each county shall prepare, approve and adopt a budget for the expenditure of public funds for capital purposes to give effect to general improvement programs. A capital budget shall be a plan for the expenditure of public funds for capital purposes, showing as income the revenues, special assessments, borrowings, receipts from the sale of capital assets, free surpluses, and down payment appropriations to be applied to the cost of a capital project or projects, expenses of issuance of obligations, engineering, supervision, contracts and any other related expenditures.

Regulations
for preparing
budget.

The budget shall be prepared in accordance with the regulations of and in the form and arrangement and detail prescribed by the Local Government Board of the Division of Local Government in the State Department of Taxation and Finance. After promulgation of regulations by the Board, the governing body shall expend or incur obligations for capital purposes only after the adoption of a capital budget, and in accordance with such budget except for the preliminary expense of plans, specifications and estimates.

The Board shall adopt, and from time to time, may amend, reasonable rules and regulations for capital budgets. Regulations may classify the type of budget required, according to size of municipality or county, nature of capital projects or any other reasonable basis of distinction, and shall require a statement of capital undertakings under way or projected over the next ensuing three years as a general improvement program. Regulations shall be uniform within the classifications established. The Board may require different capital budgets to give effect to a general improvement program as follows:

Rules and regulations.

Uniformity.

Different budgets:

a. A special capital budget for the expenditure of funds realized from the sale of obligations and adopted at the time such sale is authorized.

Special capital budgets;

b. A separate capital budget adopted at the same time and as part of the annual budget.

Separate capital budget;

c. A consolidated capital budget providing for the consolidation of capital projects, with the annual budget treating borrowed funds and other receipt as special revenue and capital projects as separately itemized appropriations under the proper office, department, institutions or other agency of the municipality or county, as the case may be.

Consolidated budget;

d. Any other type or form of budget adapted to planning and guiding expenditures for capital improvement programs.

Other type of budget.

The Board shall also adopt reasonable regulations for capital budgets for projects supported from funds borrowed in successive installments as the work proceeds. A capital budget need not be limited in duration to a single fiscal year, but may continue for the life of the project. The Board shall adopt reasonable regulations for the amendment of capital budgets and for the transfer of amounts among the several items of appropriation in the capital budget.

Borrowing funds for projects.

Amortized over life of project.

Note: 2. This act shall take effect July first, one thousand nine hundred and forty-seven.
 Act effective. Approved May 7, 1947.

CHAPTER 117

AN ACT concerning the Division of Local Government in the State Department of Taxation and Finance, and amending sections 40:3-3, 40:3-9, 40:3-17, 40:3-20, 40:3-23, 40:3-24, 40:4-4, 40:4-8, 40:4-9, 40:4-12, 40:4-13, 40:4-14, 40:4-15, 40:5-8, 40:5-9, 40:5-12, 40:5-13 and 40:48-12 of the Revised Statutes.

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

Section
amended.

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

Sinking fund
commission
to determine
requirements.

40:3-3. In the event of the failure of the Director of the Division of Local Government in the State Department of Taxation and Finance to certify the requirements or other matters required by this chapter to be certified by him the sinking fund commission shall itself determine such requirements and other matters.

Section
amended.

2. Section 40:3-9 of the Revised Statutes is amended to read as follows:

Custodian of
moneys and
securities.

40:3-9. The sinking fund commissioners shall have sole custody and control of all sinking fund moneys, securities, books, papers and records appertaining thereto. They shall deposit all moneys which shall come into their hands in a depository or depositories selected by them. They shall invest, reinvest and keep invested all moneys coming into their hands in the securities or forms of investment authorized by this chapter and in none other. They may sell or convert into cash such

Investing.

Conversion.

investments or property as may be necessary from time to time to provide funds from which to pay bonds of the municipality, county or school district, upon maturity, or sell such securities or forms of investment for the purpose of protecting the sinking fund from loss or for bettering the investment.

The commission shall keep accurate and detailed books of account covering all moneys coming into its custody, and the investment, return on investment, increase or loss thereof and the expenditure thereof, in accordance with the requirements of this chapter, make the reports and certificates as and when required, and permit access to and inspection of its accounts and records, at all reasonable hours, by any person duly authorized by the governing body of the municipality, county, school district or the Director of the Division of Local Government in the State Department of Taxation and Finance, or his agents or any interested citizen taxpayer. Records kept.

3. Section 43:3-17 of the Revised Statutes is amended to read as follows: Section amended.

40:3-17. The sinking fund commission of a municipality, county or school district (where a sinking fund commission exists only for such school district) shall calculate the annual requirements of the sinking fund for all term bonds for the ensuing fiscal year, in accordance with the provisions of section 40:3-16 of this Title, and on or before November first next before the final date fixed for the adoption of the budget for the fiscal year of the municipality or county, and on or before December first next before the annual school meeting for school districts as to bonds issued by such districts, shall submit such calculation of the sinking fund requirements for the fiscal year for which the budget shall apply, to the governing body of the municipality or county or the board of education of the school district, as the case may be, and to the Director of the Division of Local Government in the State Department of Taxation and Finance. Sinking fund requirements, calculation.

Certificate
by director.

The said director shall correct and audit such calculations, and on or before December first next before the date fixed for the adoption of the budget as to requirements for municipal or county bonds, and on or before February first next before the meeting at which school appropriations are voted for such school districts as to requirements for bonds of school districts, shall issue a certificate of the sinking fund requirements for such year to the sinking fund commission, and shall transmit a copy of such certificate to the governing body of the municipality, county or the board of education of the school district, as the case may be, and the amount as certified by the said director shall be the official determination of the sinking fund requirements for such fiscal year, which shall be included in the annual budget and tax ordinance of the municipality, or the annual budget or tax resolution of the county, and the appropriations of school districts, and shall be assessed, levied and collected as required by law.

Payment.

The required amount as certified shall be turned over to the sinking fund commission for the municipality, county or school district, as the case may be, on or before December thirty-first of the year for which such budget shall apply. The sinking fund commission shall, on or before January fifth following, transmit to the said director a certificate as to the receipt or nonreceipt by it of the sinking fund requirements previously certified, but the failure on the part of any sinking fund commission or the said director to issue a certificate of the amount of sinking fund requirements for any year shall in nowise relieve the governing body of any municipality or county, or the board of education of any school district, of their obligation to make provisions for the proper sinking fund requirements for the year in their appropriations for municipal, county or school purposes, as the case may be.

Certificate of
receipt, or
nonreceipt.

Included in
tax ordinance.

Should such appropriations not be included in the budget, as adopted, they shall, nevertheless, be

included in the tax ordinance or resolution, as the case may be, but in no case shall the district clerk and the county board of taxation be relieved from their duty to determine that such requirements have been provided for in the case of bonds issued by school districts.

4. Section 40:3-20 of the Revised Statutes is amended to read as follows:

Section
amended.

40:3-20. If upon any tabulation heretofore made of outstanding term bonds and the calculation to determine whether the sinking fund for each issue is equal to the amortization basis set forth in section 40:3-16 of this Title, or upon any subsequent tabulation and calculation ordered by the Director of the Division of Local Government in the State Department of Taxation and Finance, the sinking fund for any issue of term bonds of any municipality, county or school district shall be found to be in excess of the proper amortization basis, and any other sinking fund shall be found to be deficient, such excess shall be transferred and credited to the deficient sinking funds.

Outstanding
term bonds
tabulated.

Adjustments.

Where a distribution of surpluses is made, it must be first made to the sinking funds for bonds within the classification as defined in section 40:3-12 of this Title, and then to the sinking funds for other bonds in the order of their maturities.

Distribution
of surpluses.

Should there be a surplus in the sinking fund after the distribution herein directed, the same may be transferred to a surplus account, and the principal thereof shall be distributed only as provided in sections 40:3-13 and 40:3-24 of this Title.

Distribution
of excess
surplus.

5. Section 40:3-23 of the Revised Statutes is amended to read as follows:

Section
amended.

40:3-23. The special sinking fund shall be held intact, as such, until it shall have accumulated an amount sufficient to create or equalize the sinking fund for each issue of term bonds in accordance with the standard as defined in section 40:3-16 of this Title. Then the special sinking fund shall be distributed to the several sinking fund accounts, and the special sinking fund shall be retired.

Special
sinking fund.

Distribution
of special
sinking fund.

If during the process of accumulation of the special sinking fund there shall fall due any bonds for whose payment no sinking fund has been accumulated, or the sinking fund for which is insufficient for the payment thereof, then the amount of the deficiency for the payment of such bonds shall be taken from the special sinking fund and the yearly installment shall continue to be raised and set aside until the sinking fund, with its accumulations, shall be equal to the deficiency of the sinking fund for all term bonds.

Approval.

The annual requirements for the distribution of, and the discontinuance of the special sinking funds shall be subject to the approval of the Director of the Division of Local Government in the State Department of Taxation and Finance.

Section
amended.

6. Section 40:3-24 of the Revised Statutes is amended to read as follows:

Interest
on surplus.

40:3-24. The surplus in the sinking fund of any municipality, county or school district, as provided in section 40:3-20 of this Title, shall be held in the sinking fund, but the estimate of the annual earnings of such surplus figured on a three and one-half per centum ($3\frac{1}{2}\%$) basis may be used as a credit or offset to the annual requirements for the sinking fund, but the principal of the surplus may be used to reduce the appropriation for the annual sinking fund requirements as set forth in section 40:3-16 of this Title.

Use of
interest.

The fund so used in any one year shall not be in excess of fifty per centum (50%) of the requirements for the sinking fund for that year, but in no case shall such credit or offset be used unless a certificate of approval shall first have been obtained from the Director of the Division of Local Government in the State Department of Taxation and Finance.

Section
amended.

7. Section 40:4-4 of the Revised Statutes is amended to read as follows:

Audit by
director.

40:4-4. On failure of any municipality or county to carry out the provisions of section 40:4-1 of this Title by reason of the failure of the governing

body thereof to institute such audit or audits as therein provided and to complete the same within the time limited therein, the Director of the Division of Local Government in the State Department of Taxation and Finance may, by his employees and agents or by auditors employed for that purpose, conduct an audit of the books of such municipality or county, and such audit shall be taken to be the audit of the municipality or county as if made in accordance with the provisions of said section 40:4-1, and shall be paid for out of the funds of the municipality or county, on bill rendered therefor as a liability of the municipality or county.

For the services of the said director, or his representatives or assistants, or the pay of the auditors employed by him, whether permanent employees of the division or not, there shall be paid, to him for deposit in the State treasury by the municipality or county, a per diem allowance of twenty-five dollars (\$25.00) for each person for work done in connection with the audit or examination of the accounts of any such municipality or county. Such amount, after bill rendered by the said director, shall be, after thirty days, recoverable in an action at law in any court having jurisdiction in suits of this nature in similar amount.

8. Section 40:4-8 of the Revised Statutes is amended to read as follows:

40:4-8. Every such municipal accountant shall within five days after filing the report of his audit and recommendations with the municipality or county, as the case may be, file a certified duplicate copy of the report and recommendations as filed with the municipality or county, as the case may be, over his signature, in the office of the Director of the Division of Local Government in the State Department of Taxation and Finance.

9. Section 40:4-9 of the Revised Statutes is amended to read as follows:

40:4-9. Upon proof that any accountant so registered shall have knowingly omitted to report any

Charges
for audit.

Recovery.

Section
amended.

Duplicate
reports to
be filed.

Section
amended.

Cancellation of
accountant's
license.

error, omission, irregularity, violation of law or discrepancy found in the books or accounts, or shall have issued false reports of his audit of any municipality or county; that is to say, shall have issued audits of such a nature as not to show an accurate, intelligent and complete statement of the financial condition of the municipality or county, or of such a nature as not to comply with the requirements of the Director of the Division of Local Government in the State Department of Taxation and Finance, or if such auditor or accountant shall fail to file such report and recommendations as herein directed, or neglect or refuse to carry out any agreement or contract for audit, his registration license may be canceled by the State Board of Public Accountants.

Appeal.

If the party whose license is thus canceled or refused shall feel that there was not sufficient cause for the cancellation or refusal of the license as herein described, he shall have the right of appeal by petition to the Court of Chancery, and pending the hearing of the appeal on the return of an order to show cause why such cancellation should not be revoked, the Chancellor may stay such cancellation of license until such hearing. The proceedings shall be summary upon the petition and affidavits in reply thereto, and the final order shall finally dispose of the right to exercise the privileges so licensed.

Referred to master to determine facts.

If in the course of the hearing it shall be necessary to refer the same to a master to determine the facts as to accounts or to hear the same by production of the books and accounts of municipalities, the hearing need not then be confined to the reading of the petition and affidavits supporting the petition and in reply thereto, and in such case the finding of the court shall be as in other cases upon the report of a master after reference.

Section amended.

10. Section 40:4-12 of the Revised Statutes is amended to read as follows:

Report signed by licensed accountant.

40:4-12. All reports of audit of accounts of municipalities or counties shall be signed by the au-

ditor or accountant making the audit or in charge of the same, holding a license as herein provided, whether such audit or statement of account is made by any person employing such auditor or accountant, or otherwise, and the licensing or the revocation of the license of any such auditor shall not be construed to affect the contracting with any municipality or county by any person employing auditors or accountants; but upon the revocation of the license of an auditor or accountant for the purposes herein specified and authorized, such person shall not employ in such work such auditors or accountants but only such persons as may be licensed as herein required, except that the auditor or accountant whose license may have been revoked may be employed in a subordinate capacity.

If any person shall willfully employ any person not holding a license in full force and effect as auditor or accountant in municipal work within the purview of this chapter and other laws in which audits shall be subject to the supervision and orders of the Director of the Division of Local Government in the State Department of Taxation and Finance, the said director may direct the municipalities or counties to refuse to employ such person in such work during the continuance of such violation.

Not to employ
unlicensed
accountants.

11. Section 40:4-13 of the Revised Statutes is amended to read as follows:

Section
amended.

40:4-13. The board of chosen freeholders of any county may by agreement with the Director of the Division of Local Government in the State Department of Taxation and Finance cause the annual audit of the county books to be made by one of his employees designated by him, in the same manner that such accounts are required to be audited by law. For such purpose the board of freeholders may pay to the said director the charges and expenses therefor.

County audit
made by
employee of
director.

Section
amended.

Audit of
municipal
books.

12. Section 40:4-14 of the Revised Statutes is amended to read as follows:

40:4-14. The board of chosen freeholders of any county may enter into agreements with the governing bodies of the various municipalities in the county for the purpose of having the employee of the Director of the Division of Local Government in the State Department of Taxation and Finance audit the books of such municipality or municipalities. The moneys paid for such audit and expenses shall be paid to the board of chosen freeholders and by it paid to the said director.

Section
amended.

Director may
make audit
by agreement.

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

40:4-15. The said director may enter into agreements with the boards of chosen freeholders of the several counties and with the several municipalities for the making of the audits herein referred to. The moneys received by the said director shall be used by him for the payment of the salaries and expenses of the employee or employees and any other expenses relative to the making of the audits.

Section
amended.

Application to
establish petty
cash fund.

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

40:5-8. Prior to the establishment of a petty cash fund, written application shall be made therefor to the Director of the Division of Local Government in the State Department of Taxation and Finance, setting forth the reasons for the creation of such fund, the amount deemed to be necessary, the official custodian of the proposed fund and such other details as may be deemed pertinent.

Section
amended.

May grant
or refuse
application.

15. Section 40:5-9 of the Revised Statutes is amended to read as follows:

40:5-9. Upon receipt of such application the said director shall make such inquiry as may be necessary and, if satisfied that such petty cash fund is necessary or advantageous, shall grant such application, or may refuse to grant such application, stating in the refusal the reasons therefor.

16. Section 40:5-12 of the Revised Statutes is amended to read as follows: Section amended.

40:5-12. All matters relating to the establishment, accounting, repayment and discontinuance of any such petty cash fund shall be in the power and discretion of the said director and his decision in respect thereof shall be final. Director's powers.

17. Section 40:5-13 of the Revised Statutes is amended to read as follows: Section amended.

40:5-13. The comptroller of each city, the financial officer of each other municipality, and the treasurer of each county, shall file annually within two months after the close of the fiscal year of such municipality or county, with the Director of the Division of Local Government in the State Department of Taxation and Finance, upon forms furnished and prescribed by him, a statement, under the oath of the official required to make the same, of the financial condition of the municipality or county as of the close of the fiscal year of such municipality or county immediately preceding the time fixed for filing such statement. The statement shall include such information concerning the finances of the municipality or county as the said director shall require. Annual financial statements filed.

18. Section 40:48-12 of the Revised Statutes is amended to read as follows: Section amended.

40:48-12. In all cases where the governing body has not designated the officer or officers to issue, countersign and audit, and the manner of issuing all warrants for the disbursement of money, the same shall be drawn on the treasurer or general custodian of the funds of the municipality, and signed by the mayor or other chief executive officer of the municipality, and by the clerk or comptroller or auditor thereof. The warrants so drawn on the treasurer or other custodian and so signed shall be valid as payment vouchers to be issued to the payee when countersigned by the treasurer or general custodian, so that it shall not be necessary for the treasurer or general custodian to issue a check-voucher separate and distinct from the warrant, Disbursements, procedure.

and this provision shall be construed to be mandatory.

Bookkeeping.

The comptroller, or, in municipalities where there is no such official, the treasurer, or other officer charged with the custody of the general funds of the municipality, shall maintain general books of account subject to the direction, as to detail, of the Director of the Division of Local Government in the State Department of Taxation and Finance. The governing body of the municipality shall provide the means, financial and otherwise, to carry out this purpose.

Act effective.

19. This act shall take effect July first, one thousand nine hundred and forty-seven.

Approved May 7, 1947.

CHAPTER 118

AN ACT to amend "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," approved January twentieth, one thousand nine hundred and forty-one (P. L. 1940, c. 257).

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

Section amended.

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

C. 54:4-122.2.
Terms defined:

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” means the local government board of the Division of Local Government in the State Department of Taxation and Finance;

“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.

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

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 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.

3. Section twelve of the act of which this act is amendatory is amended to read as follows:

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:

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

State board;

Clerk.

Section amended.

C. 54:4-122.8.
Bill receipting machine used.

Approval.

Clerk to have only access.

Errors, etc., reported.

Monthly certification.

Section amended.

C. 54:4-122.12.
Findings of facts recorded:

Surety released;

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 Director of the Division of Local Government in the State Department of Taxation and Finance, for the use of the said division, 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.

Section amended.

4. Section thirteen of the act of which this act is amendatory is amended to read as follows:

C. 54:4-122.13.
Rules and regulations.

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 as provided by law.

Section amended.

5. Section fifteen of the act of which this act is amendatory is amended to read as follows:

C. 54:4-122.14.
Affect of 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 Division of Local Government in the State Department of Taxation and Finance 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.

6. This act shall take effect immediately.

Approved May 7, 1947.

CHAPTER 119

AN ACT concerning the Municipal Finance Commission, amending sections 52:27-1, 52:27-4, 52:27-5 and 52:27-60 of the Revised Statutes, and repealing "An act vesting in the Local Government Board of the State Department of Local Government all the powers and duties exercised and performed by the Municipal Finance Commission," approved November twenty-seventh, one thousand nine hundred and thirty-nine (P. L. 1939, c. 385).

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

1. Section 52:27-1 of the Revised Statutes is amended to read as follows: Section amended.

52:27-1. All the powers and duties formerly exercised and performed by the Municipal Finance Commission and vested in the Local Government Board of the State Department of Local Government by chapter three hundred eighty-five of the laws of one thousand nine hundred and thirty-nine and in the Local Government Board of the Division of Local Government in the State Department of Taxation and Finance by the effect of chapter one hundred twelve of the laws of one thousand nine hundred and forty-four shall continue to be exercised and performed by the Local Government Board of said division, and the said Local Government Board shall be constituted the Municipal Finance Commission, hereinafter, in this chapter, called "Municipal Finance Commission" or "commission." Powers and duties exercised by local government board.

Municipal finance commission.

2. Section 52:27-4 of the Revised Statutes is amended to read as follows: Section amended.

52:27-4. The commission shall continue in force in such municipality, and shall exercise the powers Duration of commission in municipality.

and perform the duties conferred by this chapter until all bonds or notes or other indebtedness of the municipality which has fallen due, and all bonds or notes which will fall due within one year, and the interest thereon, have been paid or funded or refunded, or the payment thereof in cash adequately provided for by a cash reserve, excepting tax anticipation or tax revenue notes or bonds of the current year, at which time its authority under this chapter shall cease.

Subsequent
powers of
director.

Thereafter the Director of the Division of Local Government in the State Department of Taxation and Finance shall have the power to continue the employment of the auditor as provided for in section 52:27-6 of this Title, and to exercise the powers of the commission under section 52:27-22 of this Title, until the gross and net debt of such municipality, including notes or bonds issued under this chapter, is within all statutory limits, at which time his authority under this chapter shall cease.

Section
amended.

3. Section 52:27-5 of the Revised Statutes is amended to read as follows:

Commission
to cease
functioning
upon annul-
ment of order.

52:27-5. Whenever a justice of the Supreme Court has heretofore made or shall hereafter make an order annulling, vacating and discharging any order theretofore made by him pursuant to this chapter adjudging that the municipality has defaulted in the payment of the principal or interest of any of its outstanding notes or bonds, the commission shall cease to continue in force in such municipality and neither the commission nor the said director shall thereafter exercise any powers or perform any duties in and for such municipality pursuant to this chapter, provided that the commission shall have heretofore or hereafter determined by resolution that it is not functioning in said municipality.

4. Section 52:27-60 of the Revised Statutes is amended to read as follows:

52:27-60. Whenever any direction of the commission authorized under this article has not been fully performed or carried out by the board of education or other officials of the school district affected, the commission shall have power to perform directly, or cause to be performed by its agents, in the name of the school district, any act so directed by the commission under the provisions of this article, including the power to execute, sell, issue and deliver any notes or bonds directed by the commission to be issued by the school district for the funding or refunding of its indebtedness in the manner and mode of procedure provided by this chapter for the issuance of notes or bonds by a municipality.

Section amended.

Commission to act upon failure of school authorities.

5. "An act vesting in the Local Government Board of the State Department of Local Government all the powers and duties exercised and performed by the Municipal Finance Commission," approved November twenty-seventh, one thousand nine hundred and thirty-nine (P. L. 1939, c. 385), is repealed.

Ch. 385,
P. L. 1939,
repealed.

6. This act shall take effect July first, one thousand nine hundred and forty-seven.

Act effective.

Approved May 7, 1947.

CHAPTER 120

AN ACT to amend "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)," approved August fourth, one thousand nine hundred and forty-one (P. L. 1941, c. 357).

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. 44:8A-1.
Terms defined:
Commissioner;

1. Definitions. As used in this act:

"Commissioner" means the co-ordinator of the Department of Economic Development;

Department;

"Department" means the Department of Economic Development;

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” 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;

Public assistance;

“Person” may mean, according to the context, a person and his family.

Person.

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

Section amended.

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 commissioner hereinafter referred to.

C. 44:8A-20.
Failure to protest to constitute concurrence.

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

Section amended.

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 department by the director of welfare of the municipality where the person is found by sending to the department 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-21.
Determination of settlement.

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

Section amended.

23. The commissioner, upon good cause shown, may extend the time allowed for sending a protest or reference.

C. 44:8A-23.
Extension of time.

Section
amended.

C. 44:8A-24.
Form of
protest.

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

24. The notice, protest and reference required by this act shall be made in the forms prescribed by the commissioner and shall be sent by registered mail.

Section
amended.

C. 44:8A-25.
Decision by
commissioner.

6. Section twenty-five of the act of which this act is amendatory is amended to read as follows:

25. The commissioner 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 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
of person.

Section
amended.

C. 44:8A-26.
Commissioner's
decision final.

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

26. Any decision of the commissioner shall become final upon the date of mailing of a copy thereof to the parties involved. The commissioner 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 department, or at the commissioner's request, by the Attorney-General.

Section
amended.

C. 44:8A-27.
Enforcement
of decision.

8. Section twenty-seven of the act of which this act is amendatory is amended to read as follows:

27. The commissioner may enforce his decision against the responsible municipality by withholding from it 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 department to the municipality where the person is receiving assistance in reimbursement therefor.

9. Section twenty-eight of the act of which this act is amendatory is amended to read as follows:

Section amended.

28. The commissioner 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.

C. 44:8A-28.
Court may order assistance.

Violation a contempt.

10. Section thirty-five of the act of which this act is amendatory is amended to read as follows:

Section amended.

35. A director of welfare who grants assistance to a person not having legal settlement in this State shall forthwith and not later than twenty days after the first grant of assistance notify the department in writing thereof. If a director of welfare fails to send such notification within the time prescribed and the person loses settlement in another State by reason of such failure, the commissioner shall refuse reimbursement for such assistance as long as the person lacks legal settlement, in which event the total cost of assistance given to such 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.

C. 44:8A-35.
Notice of aid given to nonresident.

Cost borne by municipality.

Costs recoverable.

11. Section thirty-seven of the act of which this act is amendatory is amended to read as follows:

Section amended.

37. The commissioner shall act as the agent of the State in effectuating the purposes of any

C. 44:8A-37.
Commissioner State's representative.

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. The commissioner 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 commissioner may refuse to accept a case when it is in the public interest of this State to invoke a policy 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.

Section
amended.

12. Section thirty-eight of the act of which this act is amendatory is amended to read as follows:

C. 44:8A-38.
Acknowledgment of
responsibility.

38. The decision of the commissioner 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 commissioner not later than ten days after the mailing of the decision.

Section
amended.

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

C. 44:8A-39.
Court may direct
assistance.

39. If a director of welfare fails to send such acknowledgment of responsibility within the time specified, the commissioner 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 as may be necessary. 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 subject to all penalties

Order.

Violation
a contempt.

which by law may be imposed for other contempts of such court.

14. Section forty of the act of which this act is amendatory is amended to read as follows:

Section amended.

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 department.

C. 44:8A-40.
Cases referred to department.

15. Section forty-one of the act of which this act is amendatory is amended to read as follows:

Section amended.

41. At the request of the commissioner 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.

16. Section forty-six of the act of which this act is amendatory is amended to read as follows:

Section amended.

46. The commissioner 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.

17. This act shall take effect immediately.

Approved May 7, 1947.

CHAPTER 121

AN ACT relating to probation, and amending section 2:199-4 of the Revised Statutes.

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

1. Section 2:199-4 of the Revised Statutes is amended to read as follows:

Section amended.

2:199-4. Upon a report from the chief probation officer that the probationer has complied with the conditions of probation and that the best interests

Termination or extension of probation.

of the public and the probationer will be subserved thereby or for other good cause, the court may, at any time, discharge a person from probation, or may extend the probation period within the limits of the maximum period provided by section 2:199-1 of this Title.

Violation of conditions.

At any time during the probation period the court may issue a warrant and cause the probationer to be arrested for violating any of the conditions of his probation, or any probation officer, police officer, or other officer with power of arrest, upon the request of the chief probation officer, may arrest the probationer without a warrant; and a commitment by such probation officer setting forth that the probationer has, in his judgment, violated the conditions of his probation shall be sufficient warrant for the detention of such probationer in the county jail, house of detention or local prison, when designated in the commitment, until he can be brought before the court. Such probation officer shall forthwith report such arrest or detention to the court and submit to the court a report showing the manner in which the probationer has violated his probation. Thereupon the court, after summary hearing, may continue or it may revoke the probation and the suspension of sentence, and may cause the sentence imposed to be executed or impose any sentence which might originally have been imposed.

Arrest.

Successor judge to exercise powers.

When the trial judge dies or goes out of office all of his powers and duties under this section shall be exercised by his successor in office, or by any other judge of the trial court, as fully as if duly exercised by the trial judge and as if the trial judge were in office at the time of such action, and all such exercises shall be as valid and effectual as if such actions were duly taken by the trial judge and he were in office at the time thereof.

Construing.

Nothing in this section shall be deemed as indicating that, prior to the passage of this act, probation could not be revoked, for violation of the terms thereof, by some other judge of the trial court in cases where the trial judge has died or

gone out of office before the expiration of the probation period.

2. This act shall take effect immediately.

Approved May 7, 1947.

CHAPTER 122

AN ACT to amend "An act relating to sentences in criminal prosecution, and supplementing chapter one hundred ninety-two of Title 2 of the Revised Statutes," approved August second, one thousand nine hundred and thirty-nine (P. L. 1939, c. 283).

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. When a judge of the court of oyer and terminer, court of quarter sessions or court of special sessions dies or goes out of office without having sentenced a defendant convicted before him, his successor in office, or any other judge holding such court or courts within the county, shall impose sentence on such defendant as speedily as possible under the circumstances. Any sentence so imposed shall be as valid and effectual as if duly pronounced by the trial judge and as if the trial judge were in office at the time of imposition thereof.

C. 2:192-16.
Successor
judge to
sentence.

Sentence
valid.

Nothing in this section shall be deemed as indicating that, prior to the passage of this act, sentence could not be imposed on a convicted defendant by some other judge of the trial court in cases where the trial judge has died or gone out of office before pronouncing sentence.

Construing.

2. This act shall take effect immediately.

Approved May 7, 1947.

CHAPTER 123

AN ACT to amend "An act concerning discrimination against eligibles certified for appointment in the competitive class in civil service, and supplementing chapter ten of Title 11 of the Revised Statutes," approved August eighth, one thousand nine hundred and thirty-nine (P. L. 1939, c. 322).

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. 11:10-6.1.
Statement
concerning
discrimination
filed.

1. Whenever, in making an appointment to any position in the competitive class, pursuant to chapter ten of Title 11 of the Revised Statutes, from among those graded highest in an open competitive examination, an appointing officer shall appoint or give employment to any person graded lower in such examination than any other person or persons whom such appointing officer might lawfully have appointed to or given employment in such position, and who was willing to accept such position or employment, such appointing officer shall within five days after making such appointment or giving such employment enter upon the records of his office the statement in writing of his reasons for appointing or giving employment to the person so appointed or given employment, and his reasons for failing to appoint or to give employment to the person or persons so graded higher in such examination, and shall, within the same period, transmit a copy of such statement to the commission, certifying under oath that the said statement is a true and complete statement of his reasons for the acts referred to therein, and that such acts were not done by reason of race, color, political faith or creed of any person so appointed or given employ-

ment, or any person not appointed or given employment. Until such certified statement is filed as herein provided, the civil service commission shall not include in the payroll the name of the person so appointed or given employment.

2. This act shall take effect immediately.

Approved May 7, 1947.

CHAPTER 124

AN ACT concerning public health, and amending
section 24:18-7 of the Revised Statutes.

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

1. Section 24:18-7 of the Revised Statutes is amended to read as follows: Section amended.

24:18-7. Except as otherwise in this chapter specifically provided, this chapter shall not apply to the following cases: Application of act.

a. Prescribing, administering, compounding, dispensing or selling at retail of any medicinal preparation that contains in one fluid ounce, or if a solid or semisolid preparation, in one avoirdupois ounce, (1) not more than two grains of opium, (2) not more than one-quarter grain of morphine or of any of its salts, (3) not more than one grain of codeine, or of any of its salts, (4) not more than one-eighth of a grain of heroin or of any of its salts, (5) not more than one-half of a grain of extract of marihuana nor more than one-half of a grain of any more potent derivative or preparation of marihuana.

b. Prescribing, administering, compounding, dispensing or selling at retail of liniments, ointments, and other preparations that are susceptible of external use only and that contain narcotic drugs in such combinations as prevent their being readily extracted from such liniments, ointments, or prep-

arations, except that this chapter shall apply to all liniments, ointments, and other preparations that contain coca leaves in any quantity or combination.

Construing.

Nothing in this section shall be construed to limit the kind and quantity of any narcotic drug that may be prescribed, administered, compounded, dispensed, or sold, to any person or for the use of any person or animal, when it is prescribed, administered, compounded, dispensed, sold, in compliance with the general provisions of this chapter.

2. This act shall take effect immediately.

Approved May 7, 1947.

CHAPTER 125

AN ACT to amend the title of "An act relating to counties other than counties of the first class and municipal boards of health of such counties, and to provide for the adoption of standard plumbing codes," approved May second, one thousand nine hundred and forty-six (P. L. 1946, c. 255), so that the same shall read "An act relating to certain second-class counties and to the establishment, amendment and repeal of standard plumbing codes in municipalities therein, and for the licensing of those engaged in the business of plumbing, and the inspection of plumbing work and materials."

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

Title amended.

1. The title of "An act relating to counties other than counties of the first class and municipal boards of health of such counties, and to provide for the adoption of standard plumbing codes," approved May second, one thousand nine hundred

and forty-six, is amended to read "An act relating to certain second-class counties and to the establishment, amendment and repeal of standard plumbing codes in municipalities therein, and for the licensing of those engaged in the business of plumbing, and the inspection of plumbing work and materials." New title.

2. This act shall take effect immediately.

Approved May 7, 1947.

CHAPTER 126

AN ACT to amend "An act to provide for the examination and licensing, under the direction of the Department of Health of the State of New Jersey, of superintendents or operators of public water treatment plants, public sewage treatment plants and public water supply systems," approved May sixth, one thousand nine hundred and forty-six (P. L. 1946, c. 295).

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. No municipality, corporation or person shall appoint any person as superintendent or operator in charge of any public water treatment plant or of any public sewage treatment plant or of any public water supply system, or permit any person to discharge the duties of superintendent or operator of any such plant or system who is not a holder of a license issued by the department under the provisions of this act; *provided, however*, that nothing herein contained shall prevent any municipality, corporation or person from continuing in office any person now occupying the office of super- C. 58:11-18.12. Licensed operator required. Proviso.

Proviso.

intendent or operator in charge of such plant or system, and the department upon certification from the proper municipal officer, corporation or individual, that such person held the office of superintendent or operator in charge of such plant or system at the time this act became effective, shall issue a license to said person to operate such plant or system in the same manner as if he had passed an examination held by the department; *provided further, however*, that this act shall not affect the validity of licenses already issued by the department to superintendents or operators to operate such plants or systems under the provisions of chapter twenty-three, laws of one thousand nine hundred and eighteen or of sections 58:11-14 to 58:11-18 of the Revised Statutes or of chapter two hundred six, laws of one thousand nine hundred and thirty-eight.

2. This act shall take effect immediately.

Approved May 7, 1947.

CHAPTER 127

AN ACT to amend "An act concerning State aid to the various counties in the cost of repairing damage to, and replacing, certain improved county roads or improved county bridges," approved May sixth, one thousand nine hundred and forty-six (P. L. 1946, c. 301).

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. 27:15A-1.
State aid
to counties.

1. Whenever any appropriation is made in any general or special appropriation bill for the purpose of defraying, or reimbursing the various

counties for, all or any part of the cost of repairing damage to, or replacing, improved county public roads or improved county bridges, damaged or destroyed by reason of unusual storm, floods, or other abnormal conditions, creating an emergency with respect to public travel in the affected areas in said counties, the State Highway Commissioner is empowered and directed to receive, consider and approve applications of the various counties of this State for State assistance in the repair or replacement of said public roads and public bridges from the funds so appropriated.

2. This act shall take effect immediately.

Approved May 7, 1947.

CHAPTER 128

AN ACT concerning aid to dependent children and their mothers, and amending section 30:5-8 of the Revised Statutes.

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

1. Section 30:5-8 of the Revised Statutes is amended to read as follows:

Section
amended.

30:5-8. For assistance granted under this chapter on behalf of any child who has resided in or as to whom residence for a period of one year has been established in some one county, the State shall be chargeable as follows: where the child is living with its father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle or aunt, in a place of residence maintained by one or more of such relatives as his or their own home, three-quarters of the cost of such assistance, and in all other cases, one-half the cost of such assistance. If, however, Federal aid should not be made available to the State of New Jersey or if, after being made available, it should

State to pay
proportionate
share.

be withdrawn, then the State's share shall be one-half in all cases.

State to stand
entire cost.

For assistance granted under this chapter on behalf of any child who has not resided in or as to whom residence for a period of one year in some one county has not been established, the State shall be chargeable for the entire cost until such time as the recipient has resided within a county continuously for one year.

Monthly
payments.

Payments of the State's share shall be made monthly in advance by the State Treasurer, on the warrant of the Commissioner of Taxation and Finance to the treasurer of the State Board of Children's Guardians upon statements furnished by the State Board of Children's Guardians, approved by the Department of Institutions and Agencies.

Governor to
fix amount.

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 share so required, together with the deficiencies, if any, incurred in the previous year. The Legislature shall include the amount so determined and stated in the annual appropriation bill.

Freeholders to
be reimbursed.

The State Board of Children's Guardians is hereby authorized and directed to reimburse unto the freeholders of any county in this State sums of money equal to one-half of the cost of maintaining dependent children in any charitable agency duly incorporated under an act entitled "An act to provide for the incorporation of associations for the erection and maintenance of hospitals, infirmaries, orphanages, asylums and other charitable institutions," approved March ninth, one thousand eight hundred and seventy-seven; but in any county where children are so maintained through such charitable agencies, the sum of money so paid by the State to any county for children so maintained shall not exceed one-half of the amount of maintenance per child per week through the State Board of Children's Guardians; and such children so maintained shall be eligible in all re-

spects and shall comply with the qualifications set forth in this chapter. Such payments shall be made by the State Treasurer on the warrant of the Commissioner of Taxation and Finance in quarter annual payments upon statements certified by the county treasurer of such county, upon forms to be presented from time to time by the State Commissioner of Taxation and Finance; and such statements shall be certified to and through the State Board of Children's Guardians and by the Commissioner of Institutions and Agencies.

2. This act shall take effect immediately.

Approved May 7, 1947.

CHAPTER 129

AN ACT concerning pension funds for employees of counties of the first class, and amending section 43:10-4 of the Revised Statutes.

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

1. Section 43:10-4 of the Revised Statutes is Section amended.
amended to read as follows:

43:10-4. A county employee who shall have received a permanent disability by reason of injury, accident or sickness, incurred at any time in the service, which permanently incapacitates him, shall, upon the certificate of a physician designated for that purpose by the pension commission, be retired on half pay. Retired on half pay.

When a county employee desires to retire by reason of injury or disease, he shall apply in writing to the pension commission for retirement. Thereupon, the pension commission shall call to its aid 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 may administer oaths to Application, examination.

any persons called before the commission regarding the matter. If the two surgeons or physicians so called fail to agree upon the physical condition of the applicant, the pension commission may call a third and disinterested, licensed and practicing physician or surgeon and the determination of a majority of them, they having been first duly sworn, shall be reduced to writing and signed by them. The commission shall decide, by resolution, whether the applicant is entitled to the benefits of this article and shall consider the physicians' or surgeons' determination in reaching its decision.

2. This act shall take effect immediately.

Approved May 7, 1947.

CHAPTER 130

AN Act authorizing boards of education to maintain accident insurance providing for payments to pupils injured while participating in, practicing or training for, or during transportation to or from games or contests conducted by the school district, or by any school of the district, or with the consent of the board of education or of the school and under the supervision of an employee of the board of education, and for payments to pupils injured in connection with the conduct of the physical education program of the district, and supplementing Title 18 of the Revised Statutes.

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

C. 18:14-105.1.
May provide
accident
insurance.

1. The board of education in any school district may arrange for and maintain, and may pay the premiums for policies of accident insurance with

any insurance company created by or under the laws of this State or authorized by law to transact business in this State, to provide for payments to pupils of the school district in connection with loss resulting from bodily injury sustained by such pupils through accidental means while participating in, practicing or training for, or during transportation to or from games or contests conducted by the school district, or by any school of the district, or with the consent of the board of education or of the school and under the supervision of an employee of the board of education, and for payments to pupils injured in connection with the conduct of the physical education program of the district.

2. A board of education maintaining such accident insurance for the benefit of its pupils may require the payment to the board of education by pupils, to whom the benefit of such insurance is extended, of a proportionate share of the premiums or any part thereof. The sums to be paid by the pupils shall be established by a schedule determined by the board of education, but no pupil electing not to participate in the accident insurance coverage, shall be required to make any payment toward the cost of the premiums therefor.

C. 18:14-105.2.
May require
pupils to
pay part of
premium.

3. The provisions of this act shall not be construed to impose any liability on the part of a board of education for injury sustained by a pupil as a result of or in connection with any of the games or contests hereinabove mentioned, or as a result of or in connection with the conduct of the physical education program of the school district or of any school of the district.

C. 18:14-105.3.
Construing as
to liability.

4. This act shall take effect immediately.

Approved May 9, 1947.

CHAPTER 131

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*:

Section
amended.

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

Minimum
compensation.

18:13-13. The minimum compensation of a teacher in any school district in any county of this State shall be eighteen hundred dollars (\$1,800.00) per academic year, and a proportionate amount for less than an academic year.

Academic
year defined.

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 and the next succeeding summer vacation.

Substitute
teachers
included.

The provisions of this act shall not apply to teachers employed as substitutes on a day-to-day basis.

Act effective.

2. This act shall take effect September first, one thousand nine hundred and forty-seven.

Approved May 9, 1947.

CHAPTER 132

AN Act providing for the certification of librarians or professional library assistants employed by any officer or body having charge and control of any library supported in whole or in part by public funds within this State, except a board of education.

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

1. The State Board of Examiners shall, upon application, issue to any person employed by any officer or body having charge and control of any library supported in whole or in part by public funds, except a board of education, an appropriate certificate to act as a librarian or professional library assistant if he shall meet such requirement as shall be fixed by the State Board of Education for the issuance of such certificate.

C. 45:8A-1.
Certificate
to act as
librarian.

2. The State Board of Education may make and enforce rules and regulations for the granting of such certificates for the issuance of each of which a fee of not less than five dollars (\$5.00) shall be charged.

C. 45:8A-2.
Rules and
regulations.

3. The officer or body having charge and control of any library within this State supported in whole or in part by public funds, except a board of education, may, in its discretion, require any librarian or professional library assistant of such library to hold an appropriate certificate issued by the State Board of Examiners as provided in this act, but no such officer or body in charge or control of any library supported in whole or in part by public funds shall terminate the employment of or refuse to continue the employment or re-employment of any librarian or professional library assistant employed prior to the effective date of this act for the reason that such person is not the holder of any such certificate.

C. 45:8A-3.
Not to
terminate
employment.

C. 45:8A-4.
Construing.

4. Nothing in this act shall be construed to exempt any employee of any school district from obtaining any other certificate prescribed by the State Board of Education as a requirement for the holding of any office, position, or employment in the public schools.

5. This act shall take effect immediately.

Approved May 9, 1947.

CHAPTER 133

AN ACT concerning education, and supplementing article four of chapter fourteen of Title 18 of the Revised Statutes.

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

C. 18:14-56.1.
Certificate
required.

1. No person shall hereafter be appointed a school nurse unless such person is the holder of an appropriate certificate issued by the State Board of Examiners under such rules and regulations as shall be prescribed by the State Board of Education.

C. 18:14-56.2.
Rules and
regulations.

2. The State Board of Education may make and enforce rules and regulations for the granting of such certificates, for the issuance of which a fee of not less than five dollars (\$5.00) shall be charged.

C. 18:14-56.3.
Not to
terminate
employment.

3. No board of education shall terminate the employment, or refuse to continue the employment or re-employment, of any nurse appointed prior to the effective date of this act for the reason that such nurse is not the holder of any such certificate and the State Board shall make no rule or regulation which will affect adversely the rights of any nurse under any certificate issued to her prior to the effective date of this act.

4. This act shall take effect immediately.

Approved May 9, 1947.

CHAPTER 134

AN ACT concerning education, and amending section 18:7-10 of the Revised Statutes.

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

1. Section 18:7-10 of the Revised Statutes is amended to read as follows:

Section
amended.

18:7-10. Whenever a new district, except a regional school district or a consolidated school district, is created, there shall be placed upon the official ballot to be voted upon, at the first annual school meeting, the question whether the board shall consist of three, five, seven, or nine members.

New election
districts
member's
of board.

The balloting for board members shall take place as if nine members were to be elected, three for terms of three years, three for terms of two years, and three for terms of one year.

If it shall be determined as a result of the balloting that the board shall consist of nine members, the three candidates receiving the highest number of votes for each of said terms shall be declared elected.

If it shall be determined that the board shall consist of seven members, the three candidates receiving the highest number of votes for the three-year terms, the two candidates receiving the highest number of votes for the two-year terms, and the two candidates receiving the highest number of votes for the one-year terms shall be declared elected.

If it shall be determined that the board shall consist of five members, the two candidates receiving the highest number of votes for the three-year terms, the two candidates receiving the highest number of votes for the two-year terms, and the candidate receiving the highest number of votes for the one-year term shall be declared elected.

If it shall be determined that the board shall consist of three members, each candidate receiving the highest number of votes for each of the terms shall be declared elected.

Annual
election.

Annually thereafter there shall be elected a person or persons for the term of three years in the place of the member or members whose terms shall have expired.

2. This act shall take effect immediately.

Approved May 9, 1947.

CHAPTER 135

AN ACT concerning education, and amending sections 18:7-5, 18:7-6, 18:7-7, 18:7-8, and 18:7-9 of the Revised Statutes.

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

Section
amended.

1. Section 18:7-5 of the Revised Statutes is amended to read as follows:

Submitting
question of
reduction,
in number of
members.

18:7-5. If the board shall deem it for the best interests of the schools that the number of members constituting said board shall be reduced, the district clerk shall, when directed by said board, insert in the call for the next annual school meeting a notice that it will be determined at such meeting whether the number of members shall be reduced to seven, five or three, as proposed by the board.

Section
amended.

2. Section 18:7-6 of the Revised Statutes is amended to read as follows:

Tenure of
incumbents.

18:7-6. If it shall be determined at the annual school meeting to reduce the number of members of the board to seven, five or three, the members then in office shall continue in office for the terms for which they were severally elected, and their successors shall be elected in the manner provided in sections 18:7-7 and 18:7-8 of this Title.

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

Section amended.

18:7-7. If it shall be determined at the annual school meeting to reduce the membership to seven, two members shall be elected at the next annual school meeting for terms of three years. At the second annual school meeting after such determination, two members shall be elected for terms of three years. Thereafter, there shall be elected at each annual school meeting members, in the place of those whose terms shall have expired, who shall hold office for terms of three years.

Election after reduction to seven or five.

If it shall be determined at the annual school meeting to reduce the number of members of the board to five, one member shall be elected for a term of three years at the next annual school meeting. At the second and third annual school meetings after such determination two members shall be elected for terms of three years. Thereafter there shall be elected at each annual school meeting, in the place of each member whose term shall have expired, a member who shall hold office for a term of three years.

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

Section amended.

18:7-8. If it shall be determined at the annual school meeting to reduce the number of members of the board to three, one member shall be elected for a term of three years at each of the three annual school meetings after such determination. Thereafter one member shall be elected at each annual school meeting, in the place of the member whose term shall have expired, who shall hold office for a term of three years.

Election after reduction to three.

5. Section 18:7-9 of the Revised Statutes is amended to read as follows:

Section amended.

18:7-9. Whenever the membership of a board has been reduced to three, and the board shall deem it advisable to increase the number from three to five, the district clerk shall, when directed by said board, insert in the call for the next annual school meeting a notice that that issue will be determined at the meeting.

Increasing membership.

If it shall be determined at the meeting to increase the number of members from three to five, there shall be elected at the next annual school meeting two members for terms of three years and one member for a term of two years. Each year thereafter a successor to each member whose term expires shall be elected for a term of three years.

Whenever the membership of a board has been reduced to three, and the board shall deem it advisable to increase the number from three to seven, the district clerk shall, when directed by said board, insert in the call for the next annual school meeting a notice that that issue will be determined at the meeting.

If it shall be determined to increase the number of members from three to seven, there shall be elected at the next annual school meeting three members for terms of three years, one for a term of two years, and one for a term of one year. Each year thereafter successors to members whose terms expire shall be elected for terms of three years.

Whenever the board shall deem it advisable to increase the number of members from five to seven the district clerk shall, when directed by the board, insert in the call for the next annual school meeting a notice that that issue will be determined at the meeting.

If it shall be determined to increase the number of members from five to seven, there shall be elected at the next annual school meeting three members for terms of three years, and one for a term of either one or two years if necessary to cause the terms of two members to expire at each of the next two annual meetings. Each year thereafter successors to the members whose terms expire shall be elected for terms of three years.

6. This act shall take effect immediately.

Approved May 9, 1947.

CHAPTER 136

AN ACT concerning the payment of royalties on the sale of textbooks in the public school system and the Department of Education, and amending section 18:12-3 of the Revised Statutes.

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

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

Section amended.

18:12-3. No county superintendent of schools, member of a board of education, teacher, or person officially connected with the public schools shall be agent for or be in any way pecuniarily or beneficially interested in the sale of any textbooks, school apparatus or supplies of any kind, or receive compensation or reward of any kind for any such sale, except as hereinafter provided, or for unlawfully promoting or favoring the same. It shall not be construed to be a violation of this section for any person to receive royalties on the sale of any textbook of which he is the author, except royalties on the sale of such textbook for use by the school district by which he is employed, or in any State educational institution with which he is connected, or within the State, or the part thereof, over which his jurisdiction extends, as the case may be. A violation of the provisions of this section shall be punishable by removal from office, or by revocation of certificate to teach.

Interest of school officers in textbooks or supplies.

Construing.

Penalty for violation.

2. This act shall take effect immediately.

Approved May 9, 1947.

CHAPTER 137

AN ACT to validate proceedings for the issuance of bonds of school districts subject to the provisions of section 18:5-87 of the Revised Statutes.

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

Bonds,
proceedings
validated.

1. All proceedings heretofore had or taken by any school district subject to the provisions of section 18:5-87 of the Revised Statutes for the authorization or issuance of bonds pursuant to the Education Law (Title 18 of the Revised Statutes) are hereby ratified, validated and confirmed notwithstanding that no supplemental debt statement or complete executed original or school debt statement thereof was filed during the period and in the places required by the provisions of section 18:5-87 of the Revised Statutes, that the polls for the meeting of the qualified voters of the school district at which a proposal authorizing the issuance of bonds was adopted, were open between the hours of six-thirty and nine post meridian instead of five and nine post meridian; *provided*, that such a supplemental debt statement, and school debt statement prepared as of a date prior to the meeting of the qualified voters of the school district at which a proposal authorizing the issuance of bonds was adopted, shall have been filed in the places required by section 18:5-87 of the Revised Statutes prior to the adoption of this act; *and provided further*, that such proceedings were in all other respects had and taken in accordance with law and shall not have been questioned in any action or proceeding heretofore instituted in any court.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved May 9, 1947.

CHAPTER 138

AN ACT concerning education, and amending section 18:14-1 of the Revised Statutes.

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

1. Section 18:14-1 of the Revised Statutes is amended to read as follows: Section amended.

18:14-1. Public schools shall be free to the following persons over five and under twenty years of age; Persons who may attend public schools.

a. Any person who is domiciled within the school district;

b. Any person who is kept in the home of another person domiciled within the school district and is supported by such other person gratis as if he were such other person's own child, but the board of education of any school district before accepting any such person as a pupil in such district may require such other person to file with the secretary or district clerk of the board a sworn statement that he is domiciled within the district, is supporting the child gratis, will assume all personal obligations for the child relative to school requirements, and intends to so keep and support the child gratuitously and not merely through the school term;

c. Any person whose parent or guardian, even though not domiciled within the district, is residing temporarily therein but no person who has had or shall have his all-year-round dwelling place within the district for one year or longer shall be deemed temporarily resident therein;

d. Any person, for whom the New Jersey State Board of Children's Guardians is acting as guardian and who is placed in the district by said board;

e. Any person, nonresident of the district, who is placed in the home of a resident of the district by order of a court of competent jurisdiction in this

State, or by any society, agency or institution incorporated and located in this State having for its object the care and welfare of indigent, neglected or abandoned children, whether or not such resident is compensated for keeping such nonresident child but no district shall be required to take an unreasonable number of nonresidents under this subsection without payment of tuition and appeal from the decision of the board of education upon any application under this subsection may be taken to the county superintendent of schools of the county in which the district is located and from his decision to the Commissioner of Education.

The public schools of any district shall be free to such persons, over the age of twenty years, who, except for age, would be entitled to free education in the district, as the board of education of the district may determine.

Any person entitled to free education under this section shall be subject to all of the provisions of this chapter.

Nonresidents of the school district, if otherwise competent, may be admitted to the schools of the district with the consent of the board of education upon such terms as the board may prescribe.

2. This act shall take effect immediately.

Approved May 9, 1947.

CHAPTER 139

AN ACT to establish a division of the State University of New Jersey in the city of Paterson, in the county of Passaic.

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

C. 18:22-15.16.
Division
of State
University.

1. A division of the State University of New Jersey, maintained by the trustees of Rutgers College in New Jersey, to be located in the city of

Paterson in the county of Passaic and to be known as "The Paterson College of Rutgers University, the State University of New Jersey" is hereby established.

2. The Paterson College of Rutgers University, the State University of New Jersey, hereby established shall offer courses of instruction usually provided by colleges of arts and sciences and such other curricula as may be prescribed by the State University of New Jersey.

C. 18:22-15.17.
Courses
of study.

3. This act shall take effect immediately.

Approved May 9, 1947.

CHAPTER 140

AN ACT to integrate the State teachers colleges and the State University of New Jersey by authorizing the State Board of Education to permit the use of the buildings and facilities of the State teachers colleges by the State University of New Jersey and by authorizing the State University of New Jersey to permit the use of the buildings and facilities of the State University of New Jersey by the State Board of Education for the purposes of the State teachers colleges.

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

1. The State Board of Education is hereby authorized to permit the use in whole or in part of any of the buildings and other facilities of the State teachers colleges by the State University of New Jersey maintained by the Trustees of Rutgers College in New Jersey, and the State University of New Jersey is hereby authorized to permit the

C. 18:22-15.18.
Authorized to
use buildings
co-operatively.

State Board of Education to use for the State teachers colleges in whole or in part any of the buildings and other facilities of the State University of New Jersey now or hereafter owned by the State of New Jersey, in order to integrate the State teachers colleges and the State University of New Jersey in such manner that the training of teachers for the public schools conducted by the State Board of Education and other branches of higher education conducted by the State University of New Jersey shall be conducted co-operatively by the State Board of Education and the State University of New Jersey to the end that higher educational services may be made more widely available to the people of the State.

C. 18:22-15.19.
Curricula
offered.

2. The State University of New Jersey shall offer courses of instruction usually provided by colleges of arts and sciences and such other curricula as may be determined by the State University of New Jersey at divisions of the State University of New Jersey to be established pursuant to this act.

C. 18:22-15.20.
Not subject to
certain laws.

3. Students enrolled in courses conducted by the State University of New Jersey in the divisions thereof established in the State teachers colleges pursuant to this act shall not be subject to the provisions of law affecting students enrolled in courses for the training of teachers for the public schools conducted by the State Board of Education.

C. 18:22-15.21.
Care, custody
and control of
buildings.

4. The care, custody and control of any building used jointly by the State teachers colleges and by the State University of New Jersey pursuant to this act shall continue to be vested in the Commissioner of Education, subject to the approval of the State Board of Education, or in the State University of New Jersey, as the case may be, as prescribed by law. If any building of the State teachers colleges is wholly utilized by the State University of New Jersey pursuant to this act, the care, custody and control thereof shall be exercised by the State University of New Jersey, subject

to the visitorial power of the State Board of Education, and if any building of the State University of New Jersey now or hereafter owned by the State of New Jersey is wholly utilized by the State Board of Education for the State teachers colleges pursuant to this act, the care, custody and control thereof shall be exercised by the Commissioner of Education, subject to the approval of the State Board of Education.

5. Provisions for the use of buildings or other facilities of the State teachers colleges by the State University of New Jersey pursuant to this act, or of the buildings or other facilities of the State University of New Jersey by the State Board of Education for the State teachers colleges, as the case may be, shall be included in the written contract executed by the State Board of Education in behalf of the State of New Jersey and the Trustees of Rutgers College in New Jersey pursuant to subsection "r" of section four of chapter two and section 15.6 of chapter twenty-two of Title 18 of the Revised Statutes.

C. 18:22-15.22.
Provisions for
use of build-
ings included
in contract.

6. This act shall take effect immediately.
Approved May 9, 1947.

CHAPTER 141

AN ACT to amend "An act concerning education for certain veterans and making an appropriation therefor," approved April eleventh, one thousand nine hundred and forty-six (P. L. 1946, c. 64).

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

Section
amended.

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

C. 18:14A-6.
Payments to
school districts.

6. If the commissioner shall approve any such application,

(1) there shall be paid to the school district the estimated cost of establishing and maintaining the courses described in the application, for a period of three months, if the application is made pursuant to subsection "b" or "c" of section two of this act, or

(2) there shall be reimbursed to the school district as funds are available therefor, pursuant to section seventeen of this act, the cost of teaching service, not to exceed three dollars (\$3.00) for each class meeting for not less than fifty minutes, if the application is made pursuant to subsection "d" of section two of this act.

All such payments shall be made on the certificate of the commissioner according to the warrant of the Commissioner of Taxation and Finance drawn on the State Treasurer in favor of the custodian of school moneys of the school district.

Section
amended.

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

C. 18:14A-17.
May use
available
funds.

17. Each school district participating in this program may, with the approval of the commissioner, use any funds, temporarily available, for

the carrying out of the purposes of subsection "d" of section two of this act.

The commissioner shall certify from time to time to the State Commissioner of Taxation and Finance, on or before September first, one thousand nine hundred and forty-seven, the total amount of the sums so used to July first, one thousand nine hundred and forty-seven, which amount shall be paid out of the sums appropriated to reimburse school districts, for the fiscal years one thousand nine hundred and forty-five—one thousand nine hundred and forty-six and one thousand nine hundred and forty-six—one thousand nine hundred and forty-seven, under the provisions of chapter sixty-seven of the laws of one thousand nine hundred and forty-seven, and the commissioner shall include in his budget requests for appropriations, for the fiscal year one thousand nine hundred and forty-eight—one thousand nine hundred and forty-nine, an estimate of the total amount of the sums required for the carrying out of the purposes of subsection "d" of section two of this act during the fiscal year one thousand nine hundred and forty-seven—one thousand nine hundred and forty-eight, not to exceed the aggregate sum of two hundred fifty thousand dollars (\$250,000.00), to the end that said amount may be appropriated by the Legislature, as a deficiency appropriation, out of the general funds of the State treasury for the fiscal year one thousand nine hundred and forty-eight—one thousand nine hundred and forty-nine, which amounts shall be apportioned and distributed by the commissioner among the school districts in reimbursement for the funds so used and shall be paid according to the warrant of the Commissioner of Taxation and Finance drawn upon the State Treasurer in favor of the respective custodians of school moneys of the school districts as certified to the Commissioner of Taxation and Finance by the Commissioner of Education.

Certification
of sums used.

3. This act shall take effect immediately.

Approved May 9, 1947.

CHAPTER 142

AN ACT to provide additional State school aid for the school year beginning July first, one thousand nine hundred and forty-seven, and supplementing Title 18 of the Revised Statutes.

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

- Terms defined: 1. Unless the context indicates that a different meaning is intended, the following words and phrases shall, for the purposes of this act, have the following meaning:
- Pupil; "Pupils" means resident pupils in average daily attendance in a school district during the school year.
- Average daily attendance; "Average daily attendance" means average daily attendance during a school year.
- District; "District" includes every school district to which chapters six or seven of Title 18 of the Revised Statutes are applicable.
- Regional school district; A "regional school district" means a regional high school district established in accordance with chapter eight of Title 18 of the Revised Statutes.
- Elementary; "Elementary" pupils means pupils in kindergarten to grade six, inclusive, who are not pupils in an "approved special class."
- High school; "High school" pupils means pupils in grades seven to twelve, inclusive, who are not pupils in an "approved special class," or "in vocational school."
- Evening school; "Evening school" pupils means pupils enrolled in evening schools, except in classes for foreign-born residents, or in vocational schools.
- Approved special classes. "Approved special classes" means classes for subnormal, blind, deaf and crippled children, and other classes for atypical pupils approved by the Commissioner of Education.

2. There is hereby appropriated the sum of one million, two hundred thousand dollars (\$1,200,000.00) to be apportioned to school districts, including regional school districts as hereinafter provided.

Appropriation.

3. The sum available for apportionment under the terms of this act shall be apportioned among the school districts, including regional school districts, in the proportion to which the average daily attendance of the pupils enrolled in each district bears to the total average daily attendance of the school districts of the State, including regional school districts.

Apportionment, method.

4. In determining the total average daily attendance for any district, the attendance of each high school and evening school pupil shall be calculated as one and one-fourth pupil, and the attendance of each approved special class shall be calculated as if there were twenty-five pupils in average daily attendance in such special class.

Determining total average daily attendance.

5. The commissioner shall, as soon as practicable, calculate, on the basis of the statistics of the school year which began July first, one thousand nine hundred and forty-five, the amount to which each district is entitled under the provisions of this act.

Calculating amounts due.

6. The sums payable to the districts of each county shall be paid on the certificate of the commissioner to the State Commissioner of Taxation and Finance according to the warrants of the State Commissioner of Taxation and Finance drawn on the State Treasurer in favor of the county treasurers of the counties in which the respective districts are situated.

Payment.

The sums payable under this act to the districts and regional school districts shall be apportioned by the county superintendent of schools in accordance with the determinations made by the Commissioner of Education under this act, of the sums payable to each of said districts and regional school districts and shall be paid to the districts and regional school districts according to the warrants of the county superintendents of schools

Apportionment by county superintendents.

drawn on the county treasurers in favor of the custodians of school moneys of the respective districts and regional school districts.

Use of funds.

7. All funds received by any district in accordance with the provisions of this act shall be used for the payment of current operating expenses only, and no part of such funds shall be used for debt service, or for the construction, alteration or repair of any building.

8. This act shall take effect immediately.

Approved May 9, 1947.

CHAPTER 143

AN Act to amend an act entitled "An act concerning certain deductions from the compensation of persons holding public office, position or employment, whose compensation is paid by this State or any county, municipality, school district or other political subdivision of this State, or by any board, body, agency or commission thereof," approved February nineteenth, one thousand nine hundred and forty-six (P. L. 1946, c. 7).

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. 52:14-15.9a.
Authorized
to make
deductions.

1. Whenever any person holding public office, position or employment, whose compensation is paid by this State or any county, municipality, school district or other political subdivision of this State, or by any board, body, agency or commission thereof, shall indicate in writing to the proper disbursing officer his desire to have any deduction made from his compensation for the payment of

insurance premiums written on the group plan of accident and sickness insurance, or for any hospital service plan and medical-surgical plan, such disbursing officer shall, except in counties of the first class, make such deduction from the compensation of such person, and such disbursing officer shall transmit the sum so deducted to the company carrying such insurance. In counties of the first class, such disbursing officer shall make such deduction from the compensation of such person and shall transmit the sum so deducted to the company carrying such insurance only when directed so to do by the board of chosen freeholders.

Any such written authorization may be withdrawn by such person holding public office, position or employment at any time upon filing notice of such withdrawal with the above mentioned disbursing officer. May withdraw.

2. This act shall take effect immediately.

Approved May 12, 1947.

CHAPTER 144

AN ACT concerning the State Board of Examiners, and amending section 18:13-1 of the Revised Statutes.

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

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

18:13-1. There shall be a State Board of Examiners, consisting of the Commissioner of Education, one assistant commissioner of education, two presidents of State teachers colleges, a county superintendent of schools, a city superintendent, a supervising principal of schools, a high school principal, a high school teacher, a principal of an State board of examiners.

elementary school, an elementary teacher and a librarian employed by the State or by one of its political subdivisions. With the exception of the Commissioner of Education, who shall be chairman of the board, the members shall be appointed by the commissioner subject to the approval of the State Board of Education. The State Board of Examiners as herein constituted shall organize not later than September fifteenth of any year. Members shall hold office for two years from the date of organization of the board except that in the first appointments one-half of the members shall be appointed for a term of one year. Vacancies in membership shall be filled for the unexpired term in the same manner as for full terms.

Expenses. All persons appointed to said board other than the commissioner and the assistant commissioner of education shall receive reimbursement for necessary traveling expenses for attendance upon meetings of said board of examiners.

Duties. The board shall grant appropriate certificates to teach or to administer, direct, or supervise, the teaching, instruction or educational guidance of pupils in public schools operated by boards of education, and such other certificates as it shall be authorized to issue by law based upon certified scholastic records or upon examinations, and revoke the same under rules and regulations prescribed by the State Board of Education.

Nothing contained in this section shall be construed to conflict with the present existing tenure rights of teachers under sections 18:13-16 to 18:13-19 of this Title.

2. This act shall take effect immediately.

Approved May 12, 1947.

CHAPTER 145

AN ACT concerning education, and amending section 18:7-35 of the Revised Statutes.

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

1. Section 18:7-35 of the Revised Statutes is amended to read as follows:

18:7-35. The board shall make public proclamation through a board member or other person qualified to vote in the school district designated by the president of said board of the opening of the meeting. A chairman who shall also be judge of elections, a secretary, and two tellers shall be appointed, and assistant tellers not to exceed in number one for every two signature copy registers used in the polling district may be appointed, by the board of education at the regular January meeting of the board from the qualified voters of the district other than regularly nominated candidates, board members, or employees. In case of any vacancy in such offices at the time of the opening of the meeting, the person authorized to open the meeting shall appoint from among those present to fill the vacancy. In any district having a population of one thousand or more as determined by the last published census, the board of education may pay each such election officer a compensation not to exceed five dollars (\$5.00) and in any district having a population of fifteen thousand or more as so determined, the board of education may pay each such election officer a compensation not to exceed ten dollars (\$10.00). At the conclusion of the organization, the election shall be open and the balloting shall continue without recess in accordance with the instructions printed upon the ballot and the provisions of this article until the hour of closing has arrived.

Section amended.

Opening of election.

Officials.

To fill vacancy.

Pay of election officers.

Challengers.

Each candidate nominated by petition may act as a challenger and may appoint also one challenger for each polling district in which he is to be voted for. The appointment of challengers shall be in writing under the hand of the person making the same and shall specify the names and addresses of the challengers and the polling district for which they are severally appointed. The appointment of the challengers shall be filed with the district clerk not later than five days preceding the annual election. No person shall be appointed challenger who is not a legal voter of the school district and no challenger shall serve in any polling district other than that to which he is appointed. The district clerk shall certify such appointed challengers, and such certification shall be submitted by the challengers to the election officials of the respective polling districts to which they are assigned. The challengers shall have power to challenge the right to vote therein of any person claiming such right and shall have the right to ask all necessary questions to determine this right. They may be present while the votes cast at any election are being counted, may stand where they can see the markings on the ballots provided they do not interfere with the orderly counting of the votes, and shall have the right to challenge the counting or rejecting of any ballot or any part of a ballot. The election officers are authorized to maintain order in the polling place and to require to leave the polling room all persons other than challengers, candidates, and persons in the process of voting, and to prohibit electioneering in the building in which the election is being conducted. Any person interfering with the orderly conduct of the election shall be guilty of a misdemeanor and shall be punishable by a fine not exceeding five hundred dollars (\$500.00), or by imprisonment not exceeding one year, or both.

Penalty.

2. This act shall take effect immediately.
Approved May 12, 1947.

CHAPTER 146

AN ACT authorizing the use of voting machines in annual school elections under certain conditions, and supplementing article three of chapter seven of Title 18 of the Revised Statutes.

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

1. Any board of education of any school district which is coterminous with any municipality or municipalities now or hereafter using voting machines at any general or municipal election may determine, by a majority vote of all its members, to use voting machines at any annual school election.

C. 18:7-47.1.
Use of voting machines.

2. Whenever any board of education shall determine to use voting machines at any annual school election under the provisions of this act, the district clerk shall notify the superintendent of elections of any county of the first class, or the county board of elections of any other county, of the action of the board, in writing, not less than forty days before the date of the annual school election. Upon receipt of such notice the superintendent of elections or the county board of elections, as the case may be, shall cause a sufficient number of machines to be delivered at such polling places and at such times as the board of education shall designate.

C. 18:7-47.2.
Notice to county authorities.

Machines made available.

3. Except as may be otherwise provided in this act, any election held under the provisions of this act shall be conducted in so far as practicable to conform with the provisions of subtitle fifteen of Title 19 of the Revised Statutes, relating to the use of voting machines in general and municipal elections.

C. 18:7-47.3.
Election, how conducted.

4. Except as may be otherwise provided in this act, the superintendent of elections of the county, or the county board of elections, as the case may

C. 18:7-47.4.
County officials to conduct elections.

- be, shall be charged with the same duties with respect to school elections conducted under the provisions of this act as are prescribed for any election by subtitle fifteen of Title 19 of the Revised Statutes; *provided, however*, nothing in this act shall be construed to compel the superintendent of elections or the county board of elections, as the case may be, to prepare, challenge or strike out lists for use at any such school election.
- Proviso.**
- C. 18:7-4.**
Appointment and pay of election officials.
5. The board of education, not less than forty days before the date of the annual school election, shall appoint, in so far as practicable, from among the members of the district election boards comprised within the boundaries of the polling districts established by the board in accordance with sections 18:7-16 and 18:7-19 of the Revised Statutes, such election officers as are necessary to conduct an election under the provisions of subtitle fifteen of Title 19 of the Revised Statutes, and each such election officer for the services performed by him shall be paid a compensation not to exceed ten dollars (\$10.00). Election officers so appointed shall be charged with the same duties with respect to school elections as are prescribed for any election by subtitle fifteen of Title 19.
- Duties.**
- Vacancies.**
- Any vacancies occurring in the district election boards shall be filled by the county board of elections of the county.
- C. 18:7-47.6.**
District clerk, duties.
6. The district clerk shall be charged with the following duties:
- (a) Post notices and cause the election to be advertised as required by section 18:7-15 of the Revised Statutes.
 - (b) Furnish the proper equipment, except voting machines, and supplies for the polling place or places provided by the board of education under section 18:7-16 of the Revised Statutes.
 - (c) Furnish to the superintendent of elections, or the county board of elections, as the case may be, at least seven days before the annual school election, official ballots of the type and in the number required by law for use in voting machines,

and make such other arrangements as are necessary to hold such election by use of voting machines in all polling districts of the school district.

(d) Mail sample ballots to each registered voter of the district, if the board of education shall determine to cause such sample ballots to be mailed.

(e) Forward to the county superintendent of schools within five days after the date of the election a statement of canvass and the "irregular ballots," and the same shall be preserved for one year.

(f) Perform such other duties, not in conflict with the duties imposed upon any other official by this act, as may be necessary for the proper conduct of the election.

7. Nomination of candidates shall be made in the manner provided by sections 18:7-21 to 18:7-26 of the Revised Statutes, inclusive. C. 18:7-47.7.
Nomination
of candidates.

8. The names of candidates shall be arranged in alphabetical order and printed as they appear signed to the certificate of acceptance. The grouping of two or more candidates and political party designations are hereby prohibited. C. 18:7-47.8.
Arrangement
of names,
bracketing
prohibited.

9. After preparing a voting machine for the annual school election, written notice shall be mailed by the superintendent of elections of the county or the county board of elections, as the case may be, to all candidates, stating the time and place where the machines may be examined, at which time and place all the candidates shall be afforded an opportunity to see that the machines are in proper condition for use in the election. C. 18:7-47.9.
Machines,
examination
by candidates.

10. No provisions of Title 19 of the Revised Statutes, relating to political parties or organizations, or officers thereof, shall be construed to apply to any annual school election conducted under the provisions of this act. C. 18:7-47.10.
Provisions
of Title 19
not to apply.

11. The board of education shall pay to the board of chosen freeholders of the county a rental fee of five dollars (\$5.00) for the use of each voting machine, plus the cost of any partial or total damage done to any machine or pertinent equipment, C. 18:7-47.11.
Rental fee
for machines.

from any cause whatever, between the time of leaving the place of storage and its return thereto.

C. 18:7-47.12.
Board
education
to reimburse.

12. The board of chosen freeholders of the county shall be reimbursed by the board of education for any reasonable expense incurred by the superintendent of elections or the county board of elections, as the case may be, in carrying out the provisions of this act, including the cost of carting the voting machines to and from the polling places, and such expenses shall be paid by the board of education in the same manner as other school election expenses.

C. 18:7-47.13.
Controlling
provisions.

13. All provisions of article three of chapter seven of Title 18 of the Revised Statutes, relating to annual school elections, not inconsistent herewith, shall be deemed to be in full force and effect.

14. This act shall take effect immediately.

Approved May 12, 1947.

CHAPTER 147

AN ACT to amend "An act concerning the State Employees' Retirement System, and supplementing chapter fourteen of Title 43 of the Revised Statutes," approved May third, one thousand nine hundred and forty-six (P. L. 1946, c. 280).

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

Section
amended.

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

C. 43:14-69.
Public agency
or organization
construed.

8. The words "public agency or organization" as used in this act shall be construed to mean and include any agency or organization which operates public works for one or more municipalities or counties, and whose revenue is derived from

other than State funds, but shall not be construed to include any county, municipality, or school district, or any subdivision thereof or any privately owned public utility or any religious, educational or charitable organization.

2. This act shall take effect immediately.

Approved May 12, 1947.

CHAPTER 148

AN ACT concerning education, and amending, and repealing, sundry sections of the Revised Statutes (Revision).

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

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

18:2-4. The State Board may:

a. Frame and modify by-laws for its own government, and elect its president and other officers; Powers and duties:
By-laws;

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

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

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

e. Make and enforce rules and regulations for the granting of appropriate certificates or licenses to teach or to administer, direct, or supervise, the teaching, instruction or educational guidance of pupils in public schools operated by boards of education, for each of which certificates a fee of not less than five dollars (\$5.00) shall be charged. Grant
certificates;

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

Uniform
bookkeeping
systems;

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

Supervising
principals;

g. Appoint, upon application, a supervising principal over schools in two or more districts whenever in its opinion it is advisable so to do, and apportion the expense equitably among the districts;

Withhold
approval of
secondary
schools;

h. Withhold or withdraw its approval of any secondary school whenever in its opinion its academic work, location or enrollment and per capita cost of maintenance shall not warrant its establishment or continuance;

Tuition;

i. Except as provided by sections 18:14-5 and 18:14-7 of this Title, fix rates to be paid by a district for the tuition of children sent from it to the schools of other districts, when the districts cannot agree among themselves as to the proper rates, and require any districts having the necessary accommodations to receive pupils from other districts at rates agreed upon or which it may fix in the event of disagreement;

Production
of record;

j. Compel the production at such time and place within the State as it may designate of any and all books, papers, and vouchers in any way relating to schools or to the receipt or disbursement of school moneys; compel the attendance before it or before any of its committees or before the commissioner or one of his assistants at such time and place as it may designate of any member of a board of education or of any person in the employ of a board of education, and suspend from office any person refusing to attend or to submit such books, papers, and vouchers as he may have been directed to produce;

Subpœnas;

k. Issue subpœnas signed by its president and secretary compelling the attendance of witnesses and the production of books and papers in any part of the State before it or before any of its committees or before the commissioner or one of his as-

sistants. Any person who shall neglect or refuse to obey the command of the subpoena or who, after appearing, shall refuse to be sworn and testify, except such refusal be on grounds recognized by law, shall in either event be liable to a penalty of one hundred dollars (\$100.00) for each offense to be recovered by the State Board of Education in an action of debt. Such penalty when recovered shall be paid into the treasury of the State;

- l. Advance the education of people of all ages; Advance education; Standards;
- m. Establish standards of higher education;
- n. License institutions of higher education as authorized by sections 18:20-5, 18:20-6, and 18:20-7 of this Title; License institutions of higher education;
- o. Approve the basis or conditions for conferring degrees as authorized by sections 18:20-8, 18:20-9, and 18:20-10 of this Title; Approve basis for granting degrees;
- p. Require from institutions of higher education such reports as may be necessary to enable the State Board to perform the duties imposed upon it by statute; Require reports;
- q. Survey the needs for higher education and the facilities available therefor and recommend to the Legislature procedures and facilities to meet such needs; Surveys;
- r. Investigate and recommend respecting the needs for facilities and services at the State University of New Jersey as an instrumentality of the State for providing public higher education and thereby to increase the efficiency of the public school system of the State, advise with the State University of New Jersey regarding its annual budget for services, lands, buildings, and equipment and jointly with the State University make recommendations to the Governor and to the Legislature in support of such budget, and make with the State University contracts in behalf of the State in accordance with legislative appropriations; Investigation and recommendations concerning State University;
- s. Make to the Governor and the Legislature such recommendations as the State Board deems necessary with regard to appropriations that may Recommendations;

- be required for services, lands, buildings, and equipment to be furnished by institutions of higher education other than the State University of New Jersey, and make contracts in behalf of the State with such institutions in accordance with legislative appropriations; *provided*, that no disbursement of moneys so appropriated shall be made to any such institution or institutions utilized by the State for the purpose of public higher education, except on recommendation of the State Board; and the State Board shall see to the application of the money for such purposes;
- Proviso; t. Exercise visitorial general powers of supervision and control over such institutions of higher education as may be utilized by the State. Its visitorial general powers of supervision and control are hereby defined as visiting such institutions of higher education to examine into their manner of conducting their affairs and to enforce an observance of their laws and regulations and the laws of the State;
- Visitorial powers; u. The State Board shall have all other powers requisite to the performance of its duties.
- Other requisite powers. 2. Section 18:4-1 of the Revised Statutes is amended to read as follows:
- Section amended. 18:4-1. The commissioner, by and with the advice and consent of the State Board, shall appoint for each county a suitable person to be county superintendent of schools of the county. No person shall be appointed unless he holds an appropriate certificate as prescribed by the State Board of Education and has been a resident of the State for at least three years immediately preceding the appointment.
- County superintendents, appointment, qualifications and term. Each county superintendent shall, unless sooner removed for cause, hold office for three years from the date of his appointment and until his successor is appointed, and shall devote his entire time to the duties of his office.

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

18:5-3. Upon receipt of a resolution passed by the governing body of any one of the municipalities constituting a single school district under section 18:5-2 of this Title, the board of education of such school district shall at once in accordance with the request contained in the resolution, appoint a day and hour for the election, which day shall not be more than forty-five days from the receipt of the resolution, and designate a polling place therefor in the municipality requesting the election. Election.

The election shall be held on the day fixed and at the place designated and between the hours of one o'clock and nine o'clock post meridian and shall be by ballot. Such election shall be called and shall be conducted in the same manner as, and the question shall be submitted in the form, prescribed by, the provisions of law regulating special school elections in school districts governed under chapter seven of this Title and the qualifications of voters eligible to vote at such election shall be the same as those provided for such special school elections. Hours of election.

The tally sheet, poll list and ballots shall be placed in a sealed package by the secretary, indorsed with the name of the municipality, the name of the county, and the date of the election. The package together with a statement of the result of the election signed by the chairman and secretary shall within five days after the election be forwarded by the secretary to the county superintendent of schools of the county in which the municipality is situated, who shall preserve the same for one year. Records forwarded to superintendent.

If the county superintendent of schools shall ascertain from the statement received by him that the number of votes cast at the election in favor of constituting the municipality a separate school district exceeds the number of votes cast against the proposition, he shall immediately notify the board of education of the result of the election, Notification of result.

and thereafter the municipality shall be a separate school district.

Section
amended.

4. Section 18:5-53 of the Revised Statutes is amended to read as follows:

Custodian of
school moneys.

18:5-53. The person designated by law as the custodian of the moneys belonging to the municipality in which a school district is situated shall be the custodian of the school moneys of such district unless the collector shall be designated as such custodian by the board of education of the district in which case he shall be such custodian.

Compensation.

The custodian shall receive such compensation as the board of education of the municipality shall determine, which compensation shall be paid by the board from its funds.

Bond.

The bonds given by the collector or other person for the faithful performance of his duty as such officer, shall be held to cover and secure the faithful performance of his duty as custodian of school moneys, and the bondsmen thereon shall be liable therefor.

Section
amended.

5. Section 18:6-12 of the Revised Statutes is amended to read as follows:

Organization
except in first
class cities.

18:6-12. A board, except in cities of the first class to which section 18:6-13 of this Title applies, shall organize on February first of each year, or on the following day if that is Sunday, by electing one of its members as president and another as vice-president, which officers shall serve for one year and until their respective successors are elected.

Vacancies.

In case the office of president or vice-president shall become vacant, the board shall, within thirty days thereafter, fill the vacancy for the unexpired term.

Section
amended.

6. Section 18:6-13 of the Revised Statutes is amended to read as follows:

Organization
in first class
cities.

18:6-13. On July first of each year, or on the following day if that is Sunday, the board of education of every school district in a city of the first class shall organize by electing one of its members as president and another as vice-president, which

officers shall serve for one year and until their respective successors are elected.

In case the office of president or vice-president shall become vacant, the board shall, within thirty days thereafter, fill the vacancy for the unexpired term. Vacancies.

7. Section 18:6-31 of the Revised Statutes is amended to read as follows: Section amended.

18:6-31. The secretary may appoint and, subject to the provisions of section 18:6-27 of this Title, may remove clerks in his office, but the number and salaries of such clerks shall be determined by the board. Clerks in secretary's office.

8. Section 18:6-38 of the Revised Statutes is amended to read as follows: Section amended.

18:6-38. The superintendent of schools shall, when required by the board, devote himself exclusively to the duties of his office. He shall have general supervision over the schools of the district and shall examine into their condition and progress and report thereon from time to time as directed by the board. He shall have such other powers and perform such other duties as may be prescribed by the board. He may appoint and, subject to the provisions of section 18:6-27 of this Title, may remove clerks in his office, but the number and salaries of such clerks shall be determined by the board. Superintendent, powers and duties.

9. Section 18:6-41 of the Revised Statutes is amended to read as follows: Section amended.

18:6-41. No person shall be appointed superintendent of schools, or assistant superintendent of schools, under the provisions of this article, or act as, or perform the duties of, a superintendent of schools or an assistant superintendent of schools as prescribed by rules and regulations of the State Board of Education, unless he shall hold an appropriate certificate as prescribed by the State Board of Education. Superintendent and assistant must hold certificate.

- Section amended. 10. Section 18:7-11 of the Revised Statutes is amended to read as follows:
- Board members qualifications. 18:7-11. A member of a board shall be a citizen and resident of the territory contained in the district, and shall have been such for at least three years immediately preceding his becoming a member of the board. He shall be able to read and write. He shall not be interested directly or indirectly in any contract with or claim against the board.
- Vacancy. Whenever a member shall cease to be a bona fide resident in the district, a vacancy in such office shall immediately exist and he shall not exercise any of the duties thereof.
- Section amended. 11. Section 18:7-27 of the Revised Statutes is amended to read as follows:
- Voters, qualifications. 18:7-27. Every citizen of the United States who has the qualifications required for electors for the General Assembly and whose name appears on the signature copy register shall be entitled to vote at any annual or special school election.
- No person shall be permitted to vote at any school election unless his name appears on the signature copy register mentioned in section 18:7-28 of this Title, as having been registered to vote, and for the purpose of said school election no person shall be entitled to vote unless he shall be registered at least three days prior to the date of said school election.
- Section amended. 12. Section 18:7-28 of the Revised Statutes is amended to read as follows:
- District clerk to obtain signature copy registers. 18:7-28. The district clerk shall obtain for use at school elections at any time within three days before the holding of such election and upon his own request the signature copy registers for the municipality or municipalities, or election districts, comprised within the school district from the person having them in charge.

13. Section 18:7-29 of the Revised Statutes is repealed. Section repealed.

14. Section 18:7-68 of the Revised Statutes is amended to read as follows: Section amended.

18:7-68. Every board shall by a majority vote of all its members appoint a district clerk, who may be elected from among such members, and shall fix his compensation and term of employment. The district clerk, as such, may be removed by a majority vote of all the members of the board subject, however, to the provisions of section 18:5-51 of this Title. District clerk, appointment.

The district clerk shall before entering upon the duties of his office execute and deliver to the board a bond in a sum to be fixed by it, with surety to be approved by the board, conditioned for the faithful performance of the duties of his office. The board may accept the bond or undertaking of a company authorized to execute surety bonds and may pay the annual premium or fee therefor as a current expense. Bond.

15. Section 18:7-70 of the Revised Statutes is amended to read as follows: Section amended.

18:7-70. A board may, under rules and regulations prescribed by the State Board, appoint a supervising principal of schools and define his duties and fix his salary, whenever the necessity for such appointment shall have been agreed to in writing by the county superintendent of schools and approved by the commissioner and the State Board. No supervising principal shall be appointed except in the manner provided in this section. Supervising principal, appointment and duties.

The appointee shall be a suitable person who holds an appropriate certificate as prescribed by the State Board of Education, and no person shall act as supervising principal of schools or perform the duties of a supervising principal of schools, as prescribed by rules and regulations of the State Board of Education, unless he holds such a certificate. Qualifications.

The boards of two or more districts may unite in employing a supervising principal. Districts may unite.

- Section amended.
Employ principals, teachers, etc.
16. Section 18:7-71 of the Revised Statutes is amended to read as follows:
18:7-71. The board may employ and, subject to the provisions of section 18:5-67 and sections 18:13-16 to 18:13-19, inclusive, of this Title, may dismiss principals, teachers, janitors, mechanics, and laborers, and fix, alter, and order paid their salaries and compensation.
- Section repealed.
17. Section 18:7-77 of the Revised Statutes is repealed.
- Section amended.
Power of board to issue temporary bonds.
18. Section 18:7-100 of the Revised Statutes is amended to read as follows:
18:7-100. Whenever the legal voters of a district have, pursuant to sections 18:7-85 to 18:7-97 of this Title, authorized the board to issue bonds, hereinafter in this article called "permanent bonds" the board may issue promissory notes or temporary loan bonds in anticipation of the issuance of permanent bonds. The notes or temporary loan bonds may be issued from time to time as the money is required for the purposes for which the permanent bonds are authorized.
- Section amended.
Cafeterias.
19. Section 18:11-14 of the Revised Statutes is amended to read as follows:
18:11-14. The board of education of any school district may provide such equipment, supplies, and services as in its judgment will aid in the preservation and promotion of the health of the pupils and it may also install, equip, supply and operate cafeterias or other agencies for dispensing food to public school pupils without profit to the district.
- Section amended.
Oath of teachers.
20. Section 18:13-9.2 of the Revised Statutes is amended to read as follows:
18:13-9.2. Every professor, instructor, or teacher who shall be employed after April twelfth, one thousand nine hundred and thirty-five, by any college, university, normal school, teachers college, or other school in this State which is supported in whole or in part by public funds, shall, before entering upon the discharge of his or her duties, subscribe to the oath or affirmation prescribed in section 18:13-9.1 of this Title, before an officer

authorized by law to administer oaths. A copy of such oath or affirmation shall be filed with the board or body, person or persons employing him or her within this State. Such oath shall be executed and filed by all persons employed on April twelfth, one thousand nine hundred and thirty-five, in such schools within sixty days after such date.

Copy of
oath filed.

21. Section 18:13-9.3 of the Revised Statutes is amended to read as follows:

Section
amended.

18:13-9.3. Any person who is a citizen or subject of any country other than the United States, and who is employed, in any capacity, as a professor, instructor or teacher in any college, university, normal school, teachers college, or other school in this State which is supported in whole or in part by public funds shall, before entering upon the discharge of his duties, subscribe to an oath to support the institutions of the United States during the period of his employment within the State.

Oath of
alien teacher.

22. Section 18:14-45 of the Revised Statutes is repealed.

Section
repealed.

23. Section 18:14-56 of the Revised Statutes is amended to read as follows:

Section
amended.

18:14-56. Every board of education shall employ a physician, licensed to practice medicine and surgery within the State, to be known as the medical inspector, and may also employ a nurse, and fix their salaries and terms of office. The board of education may appoint more than one medical inspector and more than one nurse.

Medical
inspector
and nurse.

Every board of education shall adopt rules for the government of the medical inspector and nurse, which rules shall be submitted to the State Board for approval.

Rules for
government.

24. Section 18:14-65 of the Revised Statutes is amended to read as follows:

Section
amended.

18:14-65. Whenever the county superintendent shall certify to the commissioner that there has been subscribed or donated a sum not less than four thousand dollars (\$4,000.00) for the purpose of paying the salary of a person to be known as county medical inspector of a county, the commis-

County
medical
inspector.

- Duties. sioner shall appoint, by and with the advice and consent of the State Board of Education, a physician, licensed to practice medicine and surgery within the State, of at least two years' practical experience, to be known as county medical inspector for such county. He shall perform such duties as shall be prescribed by rules and regulations adopted by the State Board of Education. His term of office shall be one year. No person shall be appointed as county medical inspector in any year until there has been certified to the commissioner that a sum sufficient to pay the salary of such officer, but not less than four thousand dollars (\$4,000.00), has been subscribed or donated as aforesaid.
- Section amended. 25. Section 18:15-4 of the Revised Statutes is amended to read as follows:
- May establish junior high school. 18:15-4. Any school district having a school enrollment of at least one hundred pupils in the seventh, eighth, and ninth grades may, with the consent of the State Board, establish and organize such grades into a junior high school.
- Section amended. 26. Section 18:15-5 of the Revised Statutes is amended to read as follows:
- Subject to regulations of board. 18:15-5. Such junior high school shall be subject to rules and regulations prescribed by the State Board.
- Art. 6 of ch. 15, Title 18, repealed. 27. Article six of chapter fifteen, Title 18, of the Revised Statutes is repealed.
- Section amended. 28. Section 18:15-94 of the Revised Statutes is amended to read as follows:
- Evening schools. 18:15-94. The board of education of a school district may establish and maintain public evening schools for the instruction of persons over twelve years of age who are residents of the district. Unless such evening schools are maintained for at least sixty-four evening sessions of at least two hours each in each year and at least three evening sessions each week, the foundation program for such district determined for the purpose of calculating the amount of State school aid payable to such district for the ensuing year shall be deter-

mined without including therein any sum for evening school pupils of the district.

29. Section 18:16-2 of the Revised Statutes is amended to read as follows:

Section
amended.

18:16-2. The Commissioner of Education, subject to the approval of the State Board of Education, shall:

Supervision by
commissioner.

a. Have the control and care of the buildings and grounds owned and used by the State for the school for the deaf;

b. Appoint and remove a superintendent, teachers and other employees, and fix the compensation of those whose compensation is not fixed by statute or otherwise determinable by authority of law;

c. Provide furniture, textbooks, school apparatus and other supplies; and

d. Make rules and regulations for the government and management of the school and the admission of pupils thereto.

30. Section 18:16-8 of the Revised Statutes is amended to read as follows:

Section
amended.

18:16-8. "The manual training and industrial school for colored youth," located at Bordentown, shall be conducted and managed by the Commissioner of Education subject to the approval of the State Board, and the commissioner, subject to the approval of the board shall have:

Management
of Bordentown
training school.

a. The full management and control thereof;

b. The care and charge of the buildings and property thereof;

c. The application and expenditure of the funds provided or appropriated for the support thereof;

d. The appointment and removal of a principal, teachers and other employees, and the fixing of their compensation subject to the provisions of Title 11, Civil Service, except where otherwise provided by statute; and

e. The power to prescribe the studies and exercises of the school and rules for its management and the admission of pupils.

Tuition in the school shall be free.

Section
amended.

Control and
management.

31. Section 18:16-20 of the Revised Statutes is amended to read as follows:

18:16-20. The commissioner, subject to the approval of the State Board, shall:

a. Have the control and care of the buildings and grounds owned and used by the State for normal schools and teachers colleges;

b. Appoint and remove principals, teachers and other employees, and fix the compensation of those whose compensation is not fixed by statute or otherwise determinable by authority of law;

c. Provide apparatus and such books and supplies as are not required to be furnished by students as provided in this article;

d. Prescribe courses of study for the schools;

e. Make rules for their management; and

f. Grant diplomas.

Section
amended.

Additional
normal school.

32. Section 18:16-29 of the Revised Statutes is amended to read as follows:

18:16-29. Whenever the board of education of a school district located in a county of the first, second, third or fifth class shall offer to the State Board the use of a suitable building for a normal school or teachers college, the State Board shall establish and maintain an additional normal school or teachers college therein, if in its judgment the same is needed.

33. This act shall take effect immediately.

Approved May 12, 1947.

CHAPTER 149

AN ACT to amend "An act concerning sinking funds and sinking fund commissions of counties, municipalities and school districts," approved March sixteenth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 25).

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

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

Section
amended.

1. Whenever the sinking funds to the credit of the several issues of term bonds of a county, municipality or school district equal the principal of such issues and there is a cash surplus in the sinking fund such surplus may, upon written application by the sinking fund commission and the approval of the Director of the Division of Local Government in the State Department of Taxation and Finance, be used, in whole or in part, as an anticipated miscellaneous revenue in the budget of such county, municipality or school district, as the case may be.

C. 40:2-17.1.
May use as
anticipated
miscellaneous
revenue.

2. This act shall take effect July first, one thousand nine hundred and forty-seven.

Note:
Act effective.

Approved May 12, 1947.

CHAPTER 150

AN ACT to amend "An act relating to the limitation of school debt and appropriations in school districts within municipalities subject to the provisions of an act entitled 'An act concerning the supervision, by the State Department of Local Government, over certain municipalities in the State,' approved May fifth, one thousand nine hundred and thirty-eight; and supplementing sections 18:6-50, 18:6-51, 18:6-53, 18:6-61, 18:6-62, 18:7-78, 18:7-79, 18:7-82, 18:7-83, 18:7-85, 18:7-86 and 54:4-45 of the Revised Statutes," approved July eighteenth, one thousand nine hundred and thirty-nine (P. L. 1939, c. 265).

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. 52:27A-83.
To transmit
summary of
proposed
budget.

4. The board of education of a school district wherein the limitations of this act are in operation shall, within twenty days after the request therefor by the Local Government Board of the Division of Local Government in the State Department of Taxation and Finance, transmit to such board a summary of the proposed school budget and of the school budget of any prior year.

Form of
summary.

The summary shall be in the form prescribed by the said Local Government Board, which is hereby authorized to require such summaries and to prescribe their form.

Note:
Act effective.

2. This act shall take effect July first, one thousand nine hundred and forty-seven.

Approved May 12, 1947.

CHAPTER 151

AN ACT respecting the Division of Local Government in the State Department of Taxation and Finance and relating to the powers, duties and functions of said Division as to certain fiscal affairs of municipalities, counties, school districts and regional authorities or districts other than an interstate authority or district (Revision of 1947).

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

ARTICLE 1

IN GENERAL

1. Short Title. This act may be cited as the "Local Government Supervision Act (1947)." C. 52:27BB-1.
Short title.

2. Definitions. As used in this act, unless the context indicates otherwise: C. 52:27BB-2.
Terms defined:

"Department" means the State Department of Taxation and Finance. Department;

"Commissioner" means the commissioner and head of the State Department of Taxation and Finance. Commissioner;

"Division" means the Division of Local Government in the State Department of Taxation and Finance. Division;

"Director" means the administrative head of the Division of Local Government in the State Department of Taxation and Finance. Director;

"Board" means the Local Government Board of the Division of Local Government in the State Department of Taxation and Finance. Board;

"Governing body" means, in the case of a county, the board of chosen freeholders, and in the case of a municipality, the body exercising general Governing
body;

legislative and administrative authority within the municipality.

Political
subdivision;

“Political subdivision” includes a municipality, county, school district or a regional authority or district other than an interstate authority or district.

Local
government;

“Local government” means the government of political subdivisions.

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 this act apply by virtue of a resolution of the Local Government Board in the Division of Local Government in the State Department of Taxation and Finance made in accordance with section seventy-one of this act.

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.

Accountant;

“Accountant” means a registered municipal accountant.

Regular audit;

“Regular audit” means the annual or biennial audit, as the case may be, required by law.

Fiscal year.

“Fiscal year” or “year” means the calendar year beginning January first and ending December thirty-first.

C. 52:27BB-3.
Headnotes not
part of act.

3. Arrangement and headnotes. The arrangement of the sections of this act have been made for the purpose of convenience, reference and order, and except where the context indicates otherwise, no implication or presumption of a legislative construction is to be drawn therefrom. No headnote to any article or section shall be deemed to be a part of this act.

4. Act is a revision. This act is a revision of the statutory law repealed by sections ninety-seven and ninety-eight of this act.

C. 52:27BB-4.
Act a revision.

5. Powers, duties and functions continued. The powers, duties and functions of the Division of Local Government in the State Department of Taxation and Finance of the Local Government Board in said division, and of the director of said division, as provided for by law, are continued.

C. 52:27BB-5.
Powers and
duties
continued.

6. Division to supervise local government. The division shall exercise State regulatory and supervisory powers over local government, assist local government in the solution of its problems, and plan and guide needed readjustments for effective local self-government.

C. 52:27BB-6.
Division to
supervise local
government.

7. Director's office at Capitol. The director shall have his office at the State Capitol.

C. 52:27BB-7.
Director's
office.

8. Powers and duties of the director. The director, in addition to powers and duties specifically granted shall have the following general powers and duties: To

C. 52:27BB-8.
Director,
powers and
duties.

- (1) Administer the work of the division.
- (2) Keep and preserve all papers and records pertaining to the division.
- (3) Receive and preserve as public records all papers, reports and other documents required to be filed with the division.
- (4) Prescribe the organization of the division and the duties of his subordinates and assistants.
- (5) Administer State laws, pertaining to local government, which are included within the jurisdiction of the division.
- (6) Recommend to the board reasonable rules and regulations for the interpretation and administration of the laws administered by the division.
- (7) Invoke any legal, equitable or special remedy for the enforcement of orders and the provisions of law administered by the division.

(8) Offer advice, consultation and instruction to local officials in improved methods of local administration.

C. 52:27BB-9.
Delegation of
authority.

9. Delegation of authority. All powers, duties and functions vested in the director, including the making of inspections, examinations, audits and investigations and the conducting of hearings, may be delegated to, and exercised by, his duly authorized deputies, agents, appointees or employees of the division; but any such exercise of power, duty or function shall be at his direction and under his supervision, and he shall be responsible for all official acts.

C. 52:27BB-10.
Board, powers
and duties.

10. Powers and duties of the board. The board shall have the following powers and duties: To

(1) Study the entire field of local government in New Jersey.

(2) Promulgate reasonable rules and regulations for the interpretation and administration of State laws included within the jurisdiction of the division.

(3) Hold hearings when required by law, and also when it determines that interested persons should be given an opportunity to be heard.

(4) Hear appeals from determinations made by the director.

(5) Advise the director concerning the administration of the division, the exercise of his powers, and the problems of local government.

C. 52:27BB-11.
Powers
continued.

11. Continuation of powers. The division, the board and the director shall have and shall continue to have all the powers, duties and functions which, under any law, could be exercised by the division, the board and the director at the time this act takes effect.

C. 52:27BB-12.
Legal
assistants.

12. Legal assistance. The Attorney-General of the State shall render, without additional compensation, such legal services as the director or the

board may request for the discharge of their duties.

13. Meetings; proceedings. The board shall hold regular meetings each year, as follows: On the third Monday in January, April, July and October. Special meetings may be convened at the call of the director or a majority of the members. The director and a majority of the members shall constitute a quorum for the conduct of official business. Minutes of all meetings shall be kept and shall be open to inspection as public records. Final action of the board shall be by resolution adopted by majority vote.

C. 52:27BB-13.
Meetings.

Quorum.

Minutes.
Final action.

14. Hearings: Rules of procedure. The board shall adopt rules of procedure to govern hearings and other proceedings before the board. The board may hold hearings at the office of the director, or any other place convenient to the parties. The rules of procedure adopted by the board shall govern all hearings and a record of proceedings shall be taken, which at the request of a party to the hearing may be stenographic. Decision shall be made by a majority vote of the board.

C. 52:27BB-14.
Hearings.

Rules of
procedure.

15. Appeals from determinations of the director. A person, including a taxpayer or citizen, aggrieved by a determination made or an order issued by the director may apply to the board for a review and redetermination. Application for review and redetermination shall be filed with the director not more than ten days after the date of the determination or order. Within thirty days after filing of the application the board shall give the applicant an opportunity to be heard, and shall sustain, reverse or modify the determination of the director. The action taken by the board shall be by majority vote, shall be spread upon its minutes and shall be open to inspection as a public record.

C. 52:27BB-15.
Appeals.

16. Compulsory process. The director or the board, as the case may be, may issue subpoenas to compel the attendance and testimony of witnesses and the production of books, papers, accounts or other documents, in any hearing, investigation or

C. 52:27BB-16.
Process.

other proceeding. A subpoena may be served by any person duly authorized or by registered mail.

C. 52:27BB-17.
Enforcement
of process.

17. Enforcement of process. If a person subpoenaed or ordered under the provisions of section sixteen fails to obey the subpoena, submit to examination, answer legal and pertinent questions, or produce books, papers, accounts or other documents when ordered, the director may apply to the Supreme Court for an order directing such person to show cause why he should not comply with the subpoena or order. Application may be made to the Supreme Court or to any justice thereof who shall have the power of the courts for the purposes of this section. Upon proof, by affidavit of the facts, the court or justice may issue an order returnable in not less than two nor more than ten days directing such person to show to the court, the justice issuing the order, or another justice of the court why he should not comply with the subpoena or order. Upon the return of the order the court or justice shall examine the person under oath, and shall give him an opportunity to be heard.

If the court or justice determines that the person refused without legal excuse to obey the subpoena, to be examined, to answer legal and pertinent questions, or to produce the books, papers, accounts or other documents as ordered, the court or justice may order the person to comply forthwith with the subpoena or order. A failure to obey the order of the court or justice may be punished as a contempt of the Supreme Court.

C. 52:27BB-18.
Issuance
of orders.

18. Issuance of orders; compliance. The director may issue instructions and orders to a sinking fund commission of a political subdivision or governing body, as the case may be, requiring compliance with the requirements of law and the regulations of the board. Each order shall state a date giving reasonable time for compliance.

Compliance.

The local governing body and other local officers concerned shall comply with the instructions and orders. At the request of the local governing body

the board shall grant a public hearing upon the matter in question. If the hearing is requested, the director shall not proceed to enforce the order until the hearing has been held and final determination is made.

19. Enforcement of orders. Orders of the director may be enforced by mandamus or injunction in appropriate cases, or by suit in equity to compel the specific performance by the officers or governing bodies of political subdivisions of the orders of the director or of the duties imposed by law.

C. 52:27BB-19.
Enforcement
of orders.

20. Judicial review. The provisions of this act shall not be construed to prevent the judicial review of an order of the director after exhaustion of the remedy provided by section fifteen. But no such order shall be wholly or partly set aside because of irregularity or informality in administrative proceedings unless the irregularity tends to impair the right or interest of the prosecuting party.

C. 52:27BB-20.
Judicial
review.

Any proceeding in a court of this State to which the director is a party, or directly affecting an order of the director shall have preference over all other civil proceedings pending in that court.

Proceedings
to have
priority.

21. Certifications as evidence. The official documents, orders and proceedings when certified to by the director shall be evidence in the courts of the State. The director may make a reasonable charge for copies of such records.

C. 52:27BB-21.
Certification
as evidence.

22. Certified and attested copies of records relating to bond issues. The director shall receive and preserve as public records the certified copies of the procedures and other papers filed with the division in connection with bond issues. Upon request, the director shall furnish attested copies of such papers. The director may make a reasonable charge for such copies.

C. 52:27BB-22.
Bond records
preserved.

23. Duty of local officers. It shall be the duty of the governing body and officers of a political subdivision of the State to co-operate with the director and the board toward giving effect to the purposes of this act, and the powers and duties of the division.

C. 52:27BB-23.
Local officers,
duties.

ARTICLE 2

BUDGETS, TAX ORDINANCES AND RESOLUTIONS AND
TAX LEVIES; POWER TO CORRECT OR ADD
MANDATORY ITEMS

C. 52:27BB-24.
Budgets,
director's
authority.

24. Authority of director as to budget; reduction in rate of interest; powers of county board of taxation. The director may inquire into any item of budget or certification of requirements and may order any item required by law to be raised by taxation for municipal, county or school purposes which has been omitted in whole or in part from any budget to be included in the budget or the tax ordinance or resolution or tax levy, or he may inquire into any item of the budget and if wrongly stated in such budget, may order said item to be corrected and properly stated in the budget before its adoption, or to have the error corrected and adjusted in the tax ordinance or resolution or in the tax levy. All such orders shall constitute a mandatory obligation upon the governing body of any municipality, county or school district or the sinking fund commission or the county board of taxation, as the case may be.

Reduced rate
of interest.

Where any county or other municipality has agreed or shall agree with the holders of fifty per centum (50%) in amount of any evidence of indebtedness of any such county or other municipality to accept a reduced rate of interest thereon, or postpone any amortization requirement concerning any such evidence of indebtedness, the county board of taxation may reduce to such extent the item or items so certified by the director. Upon application to such county board of taxation by any county or other municipality for such reduction or reductions, such county board shall within thirty days fix a date for the hearing of such application, of which hearing public notice shall be given by the county board of taxation, and at the time and place so fixed any party in interest may be heard. Upon being satisfied of the sufficiency of

such application the county board of taxation may correct and reduce the item or items within the limits fixed by this section.

25. Director not to issue order with respect to budget in certain cases. Whenever the board shall be functioning as the municipal finance commission in any municipality pursuant to the provisions of law, the director may issue no order with respect to the budget or the tax ordinance or tax levy of such municipality pursuant to the provisions of section twenty-four of this act, except upon the direction of such board so functioning.

C. 52:27BB-25.
Director not
to issue orders.

ARTICLE 3

FISCAL ADMINISTRATION IN LOCAL GOVERNMENT

26. Purpose of article. The purpose of this article is to make provision for modernized practices of fiscal administration in local government.

C. 52:27BB-26.
Purpose.

27. Uniform accounting systems. The board shall, after careful study and investigation of accounting requirements, prescribe uniform accounting systems for municipalities and counties, and may, from time to time, revise or amend such systems. The board may classify municipalities and counties in accordance with different types of accounting requirements and may prescribe a suitable variation of the uniform system to apply to each class. The use of the system when prescribed, shall be mandatory in accordance with the regulations of the board. This section shall not be construed to prevent the director, with the consent of the board, from approving the continued use of a system used by county or municipality that meets the requirements of and is in substantial conformity with the uniform system prescribed.

C. 52:27BB-27.
Uniform
accounting
systems.

28. Rules and regulations as to accounting methods. The board may promulgate rules and regulations for the proper use of uniform accounting systems and for proper accounting methods.

C. 52:27BB-28.
Rules for use
of accounting
systems.

C. 52:27BB-29.
Account
books, forms.

29. Account books and forms. The board may have prepared account books, blank forms and other accounting materials for use in uniform accounting systems and may furnish them at cost to municipalities and counties.

C. 52:27BB-30.
Accounting
systems,
installing.

30. Installations of accounting systems. The director may make installations of uniform accounting systems prescribed by the board at the request of the governing body of a municipality or county, and may make installations on his own motion with or without the consent of the governing body if local officers or a governing body fail or refuse to comply with the regulations of the board as to accounting systems or methods. The cost of installation shall be paid by the municipality or county.

C. 52:27BB-31.
Instruction and
consultation.

31. Instruction and consultation. Where the director installs accounting systems he shall supply without additional charge reasonable instruction and consultation in the use of the system and in proper accounting methods. So far as possible, instruction and consultation shall be extended to all municipalities and counties.

C. 52:27BB-32.
Financial
administration,
systems.

32. Systems of financial administration. The board may prescribe systems of financial administration for municipalities and counties. Systems may be prescribed for a group or class of municipalities or counties having similar requirements, and separate systems may be prescribed for each of as many groups or classes as the board may determine.

Systems of financial administration shall include:

(1) Definite procedures for the receipt, custody, control and disbursement of public funds.

(2) Forms for receipts, requisitions, disbursement, purchase orders and other necessary documents.

(3) The exercise of a comptroller function by a designated local officer.

(4) Definitions of the respective powers and duties of the several local officers engaged in financial administration.

(5) Instructions, rules and regulations for the proper procedures and practices of financial administration.

A system of financial administration, when prescribed, shall be mandatory upon the municipalities and counties to which it applies.

33. Advisory committees. The board may appoint special or standing advisory committees to render advice and consultation to the director and to the board in the preparation, operation and revision of uniform accounting systems and systems of financial administration. An advisory committee shall perform only those duties specifically assigned to it by the board. An advisory committee may consist of local officers, registered municipal accountants, other persons, or any combination of them, as the board may determine. Members of the committee shall serve without compensation but actual and necessary expenses, as determined by the board, may be paid. C. 52:27BB-33.
Advisory
committees.

34. Form of reports and financial statements. The board shall prescribe the forms upon which financial statements and other reports pertaining to local financial affairs shall be made. The director shall supply forms to local officers at least thirty days prior to the date upon which the report is due. C. 52:27BB-34.
Form of
reports.

35. Audits. Authority of board. The board shall promulgate rules and regulations governing the method, scope and procedure of regular audits of the financial affairs of municipalities and counties. Regulations shall prescribe the form and content of the audit report and shall specify the matters upon which comment and analysis shall be required of the auditing accountant. C. 52:27BB-35.
Audits.

36. Audits by department. Whenever the director finds that the financial affairs of a municipality or county require special supervision, he may require that the regular audits of such municipality or county be made only by the auditing staff of the division. In such cases the director may make such investigations and analyses in addition to the C. 52:27BB-36.
Audit by
department.

standard requirements for audits, as the financial affairs of the municipality may warrant. Reasonable notice of the decision of the director to make the regular audit in a municipality or county shall be given to the governing body.

C. 52:27BB-37.
Rejection of
audit report.

37. Rejection of audit report. If the director finds that an audit report as filed is incomplete or inaccurate; was not made in accordance with the regulations promulgated by the board; or does not reflect the true financial condition of the municipality or county, he may:

(1) Order supplementary examinations to be made of specified funds, accounts or offices by the accountant making the original audit.

(2) Reject the audit report and require that the audit be made de novo in whole or in part.

(3) Require that supplementary or de novo examinations be made by the auditing staff of the division.

C. 52:27BB-38.
Sinking fund,
examination.

38. Examination of sinking fund. The director shall examine and audit the books, papers, securities and moneys in the custody of the sinking fund commission of a political subdivision. Examination and audit shall be made at least once every two years and oftener if the director deems necessary.

C. 52:27BB-39.
Duties, sinking
fund
commission.

39. Duty of sinking fund commission. A sinking fund commission of a political subdivision shall at the request of the director produce its books, papers, securities and moneys, and all other records pertaining to its business. The sinking fund commission shall co-operate with the director and facilitate examination and audit in every way.

C. 52:27BB-40.
Sinking fund,
recommendations of
director.

40. Sinking fund: Recommendation by the director. The director shall examine the report of audit of a sinking fund commission and may make such recommendations pertaining to the management and administration of the affairs of the sinking fund commission as he finds desirable. Notice and statement of recommendations shall be filed forthwith with the secretary of the commission. The secretary shall immediately send a copy of the statement to each member of the commission

and to the executive head of the political subdivision. The secretary shall, within thirty days after receipt of the statement of recommendations, report to the director the action taken by the sinking fund commission.

41. Sinking funds: Enforcement of recommendations. If after forty-five days following filing of notice and statement of recommendations with the secretary of a sinking fund commission, the commission has failed or refused to act in accordance with such recommendations, the director may order the sinking fund commission to take such specific steps as he may find necessary and proper to protect the solvency and proper administration of the sinking fund. Orders may be enforced in accordance with sections fifty and fifty-two of this act.

C. 52:27BB-41.
Enforcement
of recom-
mendations,
sinking funds.

42. Sinking funds: Accounting. The board shall prescribe and enforce a uniform system for the setting up and keeping of sinking fund accounts in political subdivisions. The director may at the request of a sinking fund commission install the system of accounts in a political subdivision, and may make such installations on his own motion with or without consent of the sinking fund commission if he finds that sinking fund accounts are not kept in accordance with the uniform system prescribed by the board. The cost of installation shall be charged against the political subdivision.

C. 52:27BB-42.
Accounting,
sinking fund.

43. Sinking funds: Examination of requirements. The director shall, upon receipt, examine and audit the statement of annual sinking fund requirements of a political subdivision. The director shall determine the sufficiency of the amount certified, and shall make such corrections as may be necessary. After correction or approval the director shall certify sinking fund requirements at the time and in the manner required by section 40:3-19 of the Revised Statutes.

C. 52:27BB-43.
Examination
of sinking
fund require-
ments.

44. Sinking funds: Amortization requirements. The director shall examine the calculations and tabulations of the conditions of sinking funds as submitted by a sinking fund commission of a polit-

C. 52:27BB-44.
Amortization
requirements,
sinking fund.

ical subdivision, and shall determine the sufficiency of the funds for the amortization of bonded debt in accordance with the standards fixed by law.

If the director finds that the sinking funds are insufficient for such amortization, he shall certify to the sinking fund commission a statement of the amount required to make good the deficiency and the additional annual requirements to be made to the special sinking fund account as required by sections 40:3-20 and 40:3-24, both inclusive, of the Revised Statutes.

C. 52:27BB-45.
Charges for
services.

45. Compensation of department for services rendered. The board shall fix reasonable charges, for the services rendered under sections twenty-nine, thirty, thirty-six, thirty-seven, thirty-eight and forty-two of this act, and by agreement for the making of a regular audit. Such charges shall represent, as nearly as possible, the actual cost of the services, but shall not exceed twenty-five dollars (\$25.00) per diem for each person actually engaged in the performance of the services. The charges for the services, as so fixed, shall be paid by the political subdivision receiving the services. The charges may be recovered, in the name of the State, by the director, as a contractual debt, in any court of competent jurisdiction. All moneys received or collected for such charges shall be paid forthwith into the State treasury.

C. 52:27BB-46.
Inspection
of local
administration.

46. Inspection of local administration. The director may at any time during regular business hours make inspections and examinations of the financial administration of a county or municipality. Inspection and examination may extend to the use of the uniform accounting system; accounting methods; the collection, custody and disbursement procedure; a selective audit of particular funds and accounts; and to any other matter or practice subject to regulation by the board, or regulated by any State law which is administered by the division.

Reports
certified.

Reports of inspection and examination shall be certified to the local governing body together with

instructions for the correction of procedures or practices found not to be in accordance with the requirements of law or of the regulations of the board. Instructions of the director shall fix a date for compliance by the local governing body. On or before the date for compliance the local governing body shall give effect to the instructions and shall so certify to the director.

47. Inquiring into financial affairs. The director may make a special investigation of a county or municipality, if, upon examination of the reports of audit and recommendations of an accountant, there appear to be errors, inaccuracies or omissions in the report of audit or recommendations, or evidence of illegal financial practices; or if the director has reason to believe that irregularities in the conduct of the financial affairs have occurred.

C. 52:27BB-47.
Inquiry into
financial
affairs.

48. Special investigation: Enforcement of orders. The director may issue such orders as he may find appropriate to correct errors, inaccuracies or omissions in the report of audit or recommendations, illegal financial practices, or irregularities in the conduct of financial affairs, disclosed at an investigation made in accordance with section forty-seven of this act. Orders may be enforced in accordance with sections fifty and fifty-two of this act.

C. 52:27BB-48.
Special
investigation,
orders.

49. Powers of inquiry. In any inspection, audit, inquiry, examination or other investigation authorized by this act, the director may hold hearings and exercise the powers of investigation granted by law.

C. 52:27BB-49.
Powers of
inquiry.

50. Issuance of orders; compliance. The director may issue instructions and orders requiring compliance with the requirements of this article and the regulations of the board. Instructions and orders may be based upon the audit report and recommendations of accountants or of the director; a special investigation; an inspection and examination; reports filed with the division; failure or refusal to file documents or make reports; or

C. 52:27BB-50.
Issuance
of orders,
compliance.

any other evidence of illegal financial practice or procedures in the political subdivision.

An order shall be issued and may be enforced in the manner provided for other orders of the director.

C. 52:27BB-51.
Local officers,
duties.

51. Duty of local officers. An officer of a municipality or county who is charged with duties pertaining to fiscal administration shall keep accounts and in other respects perform his duties in accordance with the regulations promulgated by the board. An officer who willfully violates this section shall be guilty of a misdemeanor. Upon conviction he shall be fined not less than twenty-five dollars (\$25.00) nor more than one thousand dollars (\$1,000.00), or imprisoned not less than ten days nor more than one year, or both; and shall in addition forfeit his office.

C. 52:27BB-52.
Enforcement
of orders,
penalties.

52. Enforcement of orders; penalties. A local officer or member of a local governing body who, after the date fixed for compliance, fails or refuses to obey an order of the director, under the provisions of this article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, and in addition shall forfeit his office.

C. 52:27BB-53.
Construing.

53. Construction of this article. The provisions of this article shall be construed to be in addition to the provisions of sections 40:4-1 to 40:4-3, inclusive, and sections 40:4-13 to 40:4-16, inclusive, of the Revised Statutes.

ARTICLE 4

MUNICIPALITIES IN UNSOUND FINANCIAL CONDITION AND SCHOOL DISTRICTS THEREIN

C. 52:27BB-54.
Purpose.

54. Purpose of article. The purpose of this article is to make provision for the imposition of special restraints upon municipalities in, or in danger of falling into, unsound financial condition and in this way to forestall serious defaults upon local obligations and demoralized finances that bur-

den local taxpayers and destroy the efficiency of local services.

55. Application of article. The provisions of this article shall take effect in a municipality when, at the end of a fiscal year, any of the following conditions exist:

C. 52:27BB-55.
Applications
of article.

(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.

(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.

(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.

(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.

C. 52:27BB-56.
To be placed
before board.

56. Determination by the board: Notice and hearing. If the director 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, regular or special, filed with the division by a governing body or a municipal officer, that any of the conditions listed in section fifty-five of this act 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 article to that municipality will be placed before the board for its determination at a time and place which shall be stated in the notice.

Hearing.

The 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 board finds, after hearing, that any of the conditions listed in section fifty-five of this act exist in the municipality, it shall by resolution determine that the provisions of this article are, from and after the date of such resolution, in effect within that municipality.

Determination
of board.

Notice.

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 article and shall comply with all orders of the director issued under it while the municipality remains subject to its provisions.

57. Limitation on debt. In a municipality subject to this article, 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. C. 52:27BB-57.
Limitation
on debt.

This section shall not affect the power:

(1) To issue tax anticipation, tax revenue, or any other obligations of a strictly current character, except emergency obligations.

(2) To fund outstanding obligations in accordance with sections 40:1-61 to 40:1-74, both inclusive, of the Revised Statutes.

(3) To issue obligations in order to comply with an order issued in accordance with law by a State Board, department or other agency.

(4) To issue obligations, with the prior written approval of the 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.

58. Limitation upon appropriations. In a municipality subject to this article, 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 article takes effect in that municipality. C. 52:27BB-58.
Limitation
upon
appropriations.

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.

The 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 board shall authorize such a budget only if it finds that

the appropriation of an amount in excess of the limitation is necessary for:

(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.

(4) The meeting of any lawful yearly expenditure of the municipality; *provided*, the 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.

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. 52:27BB-59.
Limitations
upon counties.

59. Limitations upon counties. The provisions of section fifty-seven of this act (for the purpose of limiting the issuance of county obligations bonded or otherwise) and of section fifty-eight of this act (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 fifty-seven and fifty-eight of this act apply to three or more municipalities within the county because of the operation of section fifty-five of this act; 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 fifty-seven and fifty-eight of this act.

The director shall give notice, and the 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 fifty-six and sixty-four of this act in the case of municipalities.

60. Compliance with requirements of law. The director may order the governing body or an officer of a municipality subject to this article to perform any duty prescribed by law whether or not a specific penalty or enforcement procedure is provided by such law. The orders may be enforced as authorized by law. C. 52:27BB-60. Compliance with requirements of law.

61. Liquidation of floating debt. The 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. C. 52:27BB-61. Floating debt, liquidation.

The board may:

(1) 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, of more than twenty-five per centum (25%) of the total of appropriations for operating purposes (ex-

cept dedicated revenue appropriations) in the budget for the year just ended.

(2) 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 of
liquidation.

Liquidations under this section shall be in accordance with a plan of liquidation adopted by resolution of the governing body and approved by the 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 board.

Limitations
not to apply.

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 fifty-five of this act exist in that municipality, the limitations of sections fifty-seven and fifty-eight of this act shall not apply. The supervision of the State Board, however, shall continue for the duration of the liquidation plan.

C. 52:27BB-62.
Analysis of
financial
conditions.

62. Analysis of financial conditions. The director may at any time, and shall if the governing body so requests, make a special analysis of the financial conditions of a municipality subject to this article. The analysis shall extend to all factors and circumstances contributing to the financial conditions of the municipality and shall if possible, recommend definite steps to be taken to correct such conditions.

C. 52:27BB-63.
Consultation
and assistance.

63. Consultation and assistance. The director shall extend all possible consultation and assistance to municipalities subject to this article to assist in the improvement of local financial conditions.

C. 52:27BB-64.
Duration of
supervision.

64. Duration of supervision. A municipality shall remain subject to this article as long as any of the conditions listed in section fifty-five of this act 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).

When the director 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 the office of the division that none of the conditions listed in section fifty-five of this act exist in a municipality subject to this article, 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 article to that municipality will be placed before the board for its determination at a time and place which shall be stated in the notice.

Determination
of board.

The 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 fifty-five 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 article are no longer in effect in the municipality.

Hearing.

The director shall forthwith certify to the governing body that the provisions of this article no longer affect that municipality.

Certification
of director.

Notice shall be given by registered mail to the clerk of the municipality.

Notice by
registered
mail.

65. Municipalities under the Municipal Finance Commission. If a municipality subject to this act is placed under the supervision of the Municipal Finance Commission in accordance with section 52:27-2 or section 52:27-3 of the Revised Statutes,

C. 52:27BB-65.
Application
of article to
terminate.

the application of this article in such municipality shall thereupon be terminated.

C. 52:27BB-66.
Additional
powers of
board.

66. Additional powers of the board. For the purpose of this article the board shall have, in addition to its other powers, authority to

(1) Promulgate rules and regulations for the interpretation and administration of this article.

(2) Require, and prescribe the form of, special reports to be made by a financial officer or governing body pertaining to the financial affairs of municipalities.

(3) Hold hearings.

C. 52:27BB-67.
Additional
powers of
director.

67. Additional powers of the director. For the purposes of this article, the director shall have, in addition to his other powers, authority to issue and enforce orders as authorized by law for other orders issued by him.

C. 52:27BB-68.
Construed
liberally.

68. Construction. This article shall be construed liberally to give effect to its intent that unsound financial conditions in municipalities shall be forestalled and corrected.

C. 52:27BB-69.
Special
remedial
treatment.

69. Special remedial treatment for municipalities. Specialized remedial treatment for municipalities that are in definitely unsound fiscal condition may be imposed pursuant to section sixty-nine to ninety-one, inclusive, of this act, as the board in its judgment finds appropriate for the rehabilitation of such municipalities.

C. 52:27BB-70.
Special powers
of board.

70. Special powers of board; when to apply. Whenever the board finds, in accordance with section seventy-one of this act, that such a 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 the powers and duties conferred upon the board by sections sixty-nine to ninety-one, inclusive, of this act shall apply to, and may be exercised with respect to, a municipality under supervision.

71. Determination by board. The board shall, from time to time, determine whether the conditions set forth in section seventy of this act exist in a municipality. If the board finds that such conditions exist, it shall by resolution determine that the provisions of sections sixty-nine to ninety-one, inclusive, of this act apply to that municipality.

C. 52:27BB-71.
Determination
by board.

72. Investigations by board. If the board finds that the provisions of sections sixty-nine to ninety-one, inclusive, of this act apply to a municipality, the director 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 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 said sections are applicable to the municipality.

C. 52:27BB-72.
Investigation
by board.

73. Supervision of revenue administration. If the 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.

C. 52:27BB-73.
Revenue
administration,
supervision.

The board shall determine the specific changes in revenue administration that are necessary in the municipality. The measures determined by the board as necessary may be enforced by order of the board in the same manner as authorized for other orders of the board. But the concurrence of the Director of the Division of Taxation in the State Department of Taxation and Finance shall be a condition precedent to the enforcement by the board of such orders as fall within the scope of the said director's supervisory powers.

C. 52:27BB-74.
Separation of
assessment.

74. Separation of assessment lists. If the 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 seventy-five to seventy-eight, inclusive, of this act.

C. 52:27BB-75.
Preparation
of assessment
lists.

75. 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. 52:27BB-76.
Inactive lists,
preparation
and effect.

76. Inactive lists; preparation and effect. (a) After the board orders the preparation of tax lists pursuant to its powers under sections seventy-four and seventy-five 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.

(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.

(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.

77. 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 director 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. 52:27BB-77.
Apportionment
of receipts
from inactive
properties.

78. Rate of tax collections. The rate of tax collections for whatever purpose used, shall be com-

C. 52:27BB-78.
Rate of tax
collections.

puted as the percentage that all tax collections were of amounts levied against both active and inactive lists.

C. 52:27BB-79.
Notice of
proceedings
county tax
board.

79. 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 sections sixty-nine to ninety-one, inclusive, of this act, 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 director so that the board or its representative may be heard as a party in interest in behalf of the State.

C. 52:27BB-80.
Local
administrator
of finance.

80. Local administrator of finance. If the board finds that unsound conditions in a municipality to which sections sixty-nine to ninety-one, inclusive, of this act apply 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.

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 board. He shall give bond for the faithful performance of his duties in an amount fixed by the governing body and approved by the board. An administrator shall continue his employment until his services are terminated by the governing body, with the approval of the board.

C. 52:27BB-81.
Powers and
duties, local
administrator.

81. Local administrator; powers and duties. An administrator shall have such of the powers and duties authorized by sections eighty-two to eighty-seven, inclusive, of this act, as are specifically as-

signed to him by the governing body upon the recommendation of the board. An administrator shall exercise his powers and perform his duties under the general supervision of the board.

82. Administration of assets and liabilities. A local governing body, upon the recommendation of the 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.

C. 52:27BB-82.
Administration
of assets and
liabilities.

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.

83. Liquidation fund. In a municipality not operating on a full cash basis, the treasurer shall place such moneys, paid to him pursuant to section eighty-two of this act, 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. 52:27BB-83.
Liquidation
fund.

C. 52:27BB-84.
Co-operative
agreements,
study.

84. Study of co-operative agreements. An administrator, when so instructed by the 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 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 director and the board shall render all possible guidance and assistance to the administrator for the purpose of effectuating sound interjurisdictional agreements.

C. 52:27BB-85.
Administrator
may act as
controller.

85. Administrator may act as controller. If the board finds that sound fiscal conditions will be promoted by the exercise of a control function in a municipality to which sections sixty-nine to ninety-one, inclusive, of this act apply, 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 board so recommends, it shall be the duty of the governing body to authorize and direct the administrator to act in accordance with this section.

C. 52:27BB-86.
Procedure
of control.

86. Procedure of control. The 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. 52:27BB-87.
Preparation
of budget.

87. Preparation of budgets. A municipality to which sections sixty-nine to ninety-one, inclusive, apply, may, with the approval of the board, prepare and adopt its annual budget in accordance with this section.

If the 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 eighty-three of this act, the board may authorize the appropriation to be made to the liquidation fund in lieu of that for "deferred charges and statutory expenditures."

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. Construing.

88. Administrator agent of board. The administrator shall perform as the agent of the board such duties with respect to the fiscal affairs of the municipality as the board, in the exercise of its powers, may require. C. 52:27BB-88.
Agent of
board.

89. General duties of board. The 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 sections sixty-nine to ninety-one, inclusive, of this act apply. C. 52:27BB-89.
General duties
of board.

90. Delegation of powers to director. The powers and duties vested by sections sixty-one to ninety-one, inclusive, of this act in the board may be exercised by the director under the supervision of the board when so authorized by resolution of the board. C. 52:27BB-90.
Delegation
of powers
to director.

C. 52:27BB-91.
Termination
of supervision.

91. Termination of supervision. The application of sections sixty-nine to ninety-one, inclusive, of this act to a municipality shall terminate when:

(1) The provisions of article four of this act 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.

C. 52:27BB-92.
Limitation of
school debt and
appropriation.

92. Limitation of school debt and appropriations. In a municipality subject to the provisions of this article:

(a) A board of school estimate shall neither determine nor certify pursuant to sections 18:6-50 or 18:6-51 of the Revised Statutes, nor shall the governing body appropriate or levy pursuant to sections 18:6-53 or 18:6-62 of the Revised Statutes, a greater amount for school district purposes than is permitted under section ninety-three of this act.

(b) A school district tax authorized pursuant to sections 18:7-78 or 18:7-79, and certified pursuant to sections 54:4-45, 18:7-82 or 18:7-83 of the Revised Statutes, shall not be greater in amount than is permitted under section ninety-three of this act; nor shall the board of education designate, in the notices calling an annual or special meeting pursuant to section 18:7-78 of the Revised Statutes, a sum or sums not permitted under said section ninety-three.

(c) A governing body shall not borrow for school district purposes pursuant to section 18:6-61 of the Revised Statutes except as permitted under section ninety-three of this act.

(d) The authorization to borrow for school district purposes pursuant to section 18:7-85 of the Revised Statutes, and a proposal to be

submitted to the voters by the board of education pursuant to section 18:7-86 of the Revised Statutes, shall be subject to the provisions of section ninety-three of this act.

93. Amount of taxes for school purposes. Pursuant to subsections (a) and (b) of section ninety-two of this act, the total amount to be raised by taxes on real and personal property for school purposes shall not exceed by more than five per centum (5%) such amount for the year next preceding the year in which this article takes effect in the municipality.

C. 52:27BB-93.
Amount of
taxes for
school purposes.

This section shall not be construed to authorize an appropriation of less than the full amount required for the payment of debt service; nor to authorize the abrogation of any covenant entered into with bondholders.

The limitation of this section may be exceeded for the purpose of meeting increased requirements for appropriations (a) made mandatory by law, (b) for judgments, (c) for debt service, and (d) for emergencies. The excess, however, shall not be greater than the extent that the requirements of the total of such appropriations to be made for the year, exceed the total of all such appropriations made for the year next preceding the year that this article takes effect in the municipality.

94. Obligations for school purposes. Pursuant to subsections (c) and (d) of section ninety-two of this act, obligations, bonded or otherwise, shall not be authorized or issued for school district purposes except as permitted by this section.

C. 52:27BB-94.
Obligations
for school
purposes.

This section shall not affect the power:

(1) To authorize and issue obligations of a strictly current character.

(2) To fund outstanding obligations in accordance with applicable school funding laws.

(3) To authorize and issue obligations so as to comply with an order issued in accordance with law, by a board, department, or other agency of the State Government.

(4) To authorize and issue obligations in accordance with a law providing for the relief of unemployment.

C. 52:27BB-95.
School budgets.

95. School budgets. The board of education of a school district wherein the limitations of this article are in operation shall, within twenty days after the request therefor by the board, transmit to such board a summary of the proposed school budget and of the school budget of any prior year.

Form of
summary.

The summary shall be in the form prescribed by the board, which is hereby authorized to require such summaries and to prescribe their form.

ARTICLE 5

APPLICATION OF ACT, REPEALS, SEVERABILITY AND EFFECTIVE DATE OF ACT

C. 52:27BB-96.
Application
of act.

96. Application of act. This act shall not be deemed to affect any provision of chapter one hundred twelve of the laws of one thousand nine hundred and forty-four, nor any matter or proceeding pending before the director or the board at the time this act takes effect. This act shall not be deemed to require any reorganization of the board or of any advisory committee, nor the reappointment or redesignation of any officer or employee of the division. Each officer and employee of the division shall retain any and all rights and privileges pertinent to his status in the service of the State and, especially, with respect to the civil service and any pension or retirement law applicable to him.

C. 52:27BB-97.
Sundry sections
repealed.

97. Repeal of sections of the Revised Statutes. Sections 52:24-11, 54:24-19 and 54:24-19.1 of the Revised Statutes are repealed.

C. 52:27BB-98.
Repealer.

98. Repeal of acts; proviso. The following parts of acts, acts, and acts amendatory thereof or supplemental thereto are repealed:

Sections one to sixteen, inclusive, and sections eighteen to thirty-four, inclusive, of "An act creating a State Department of Local Government, prescribing its powers and duties, and transferring to it certain powers and duties vested in the State

Auditor," approved May ninth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 158); "An act concerning fiscal administration in local governments of the State, and repealing sections 52:24-12 to 52:24-18, inclusive, and 52:24-20 to 52:24-27, inclusive, of the Revised Statutes," approved May ninth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 159); "An act concerning the supervision, by the State Department of Local Government, over certain municipalities in the State," approved May fifth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 127); "An act relating to the limitation of school debt and appropriations in school districts within municipalities subject to the provisions of an act entitled 'An act concerning the supervision, by the State Department of Local Government, over certain municipalities in the State,' approved May fifth, one thousand nine hundred and thirty-eight; and supplementing sections 18:6-50, 18:6-51, 18:6-53, 18:6-61, 18:6-62, 18:7-78, 18:7-79, 18:7-82, 18:7-83, 18:7-85, 18:7-86 and 54:4-45 of the Revised Statutes," approved July eighteenth, one thousand nine hundred and thirty-nine (P. L. 1939, c. 265); "An act to amend the title of an act entitled 'An act concerning the supervision, by the State Department of Local Government, over certain municipalities in the State,' approved May fifth, one thousand nine hundred and thirty-eight, constituting chapter one hundred twenty-seven of the laws of one thousand nine hundred and thirty-eight; and to amend and supplement said act," approved October twenty-fifth, one thousand nine hundred and thirty-nine (P. L. 1939, c. 364); "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," approved April twenty-

- Proviso. eighth, one thousand nine hundred and forty-one (P. L. 1941, c. 75); and "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," approved April thirtieth, one thousand nine hundred and forty-one (P. L. 1941, c. 95); *provided, however*, that this section shall not be deemed to revive any act which was repealed by any of said enumerated acts.
- C. 52:27BB-99. Provisions severable. 99. Severability clause. The provisions of this act shall be construed as severable and if any part is held unconstitutional, or for any other reason invalid, the remaining parts shall not be affected thereby.
- C. 52:27BB-100. Act effective. 100. Effective date of act. This act shall take effect July first, one thousand nine hundred and forty-seven.
- Approved May 12, 1947.

CHAPTER 152

AN ACT relating to bonds and other obligations of certain school districts, and repealing section 18:7-88 of the Revised Statutes.

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

Section repealed.

1. Section 18:7-88 of the Revised Statutes is repealed.
 2. This act shall take effect immediately.
- Approved May 12, 1947.

CHAPTER 153

AN ACT concerning the issuance of bonds and other obligations and the incurring of indebtedness by school districts, and amending section 18:5-86 of the Revised Statutes.

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

1. Section 18:5-86 of the Revised Statutes is Section amended. amended to read as follows:

18:5-86. (a) Any school district, upon compliance with the provisions of this section, may authorize the issuance of bonds notwithstanding the provisions of section 18:5-84 of this article. The issuance of any such bonds shall be authorized upon the adoption by the legal voters of such school district, by a majority of the legal ballots cast thereon, of a proposal authorizing the board of education to issue such bonds, which proposal, in the case of a local school district, shall be in form and substance as stated in this section and upon a copy of which proposal shall have been endorsed, prior to its adoption by said legal voters, the consents of the State Commissioner of Education and of the Local Government Board hereinafter in this section provided for. May issue bonds.

(b) A copy of any proposal for authorizing the issuance of bonds of a school district may, before its adoption by the legal voters of such school district, be submitted by the board of education for consideration by the State Commissioner of Education under subsection (c), and by the Local Government Board under subsection (d), of this section. As a part of such consideration and before endorsing any approval on such copy, the commissioner or board may require the board of education of such school district to adopt resolutions restricting or limiting any future proceedings Approval.

therein or other matters or things deemed by the commissioner or board to affect any estimate made or to be made under said subsections, and every such resolution so adopted shall constitute a valid and binding obligation of the school district running to and enforceable or releasable by the commissioner or board, as the case may be.

Commissioner
to record
estimate.

(c) Within sixty days after submission to the State Commissioner of Education of any copy of a proposal pursuant to subsection (b) of this section, he shall endorse his consent thereon if he shall be satisfied and shall record in writing his estimates that existing educational facilities in such school district are or within five years will be less than eighty per centum (80%) adequate, that the new educational facilities to be financed pursuant to such proposal will within ten years be fully utilized, and that under existing statutes there is no alternative method of providing such new educational facilities which would be more economical. If the State Commissioner of Education shall not be so satisfied within said period of sixty days, he shall endorse his disapproval on such copy.

Disapproval.

Local govern-
ment boards
approval.

(d) Within sixty days after the submission to the Local Government Board of any copy of a proposal pursuant to subsection (b) of this section, it shall cause its consent to be endorsed thereon if it shall be satisfied and shall record by resolution its estimates that the amounts to be expended for the new educational facilities to be financed pursuant to such proposal are not unreasonable or exorbitant, and that issuance of the bonds mentioned and described in such proposal will not materially impair the credit of any municipality comprised within such school district or substantially reduce its ability during the ensuing ten years to pay punctually the principal and interest of its debts and supply essential public improvements and services, and that authorization of such bonds would not be possible under the provisions of either section 18:5-84 or section 18:5-85 of this article, and that, taking into consideration trends

in population and in values and uses of property and in needs for educational facilities, the net school debt of such school district will at some date within fifteen years be less, in the case of a certified local school district, than eight per centum (8%), or in the case of a regional school district, than four per centum (4%), or in the case of any other school district, than six per centum (6%) of the average assessed valuation of property in such school district as stated in supplemental debt statements, which might be filed on such date. If the Local Government Board shall not be so satisfied within said period of sixty days, it shall cause its disapproval to be endorsed on such copy.

(e) Every proposal for authorizing the issuance of bonds of a school district other than a regional school district pursuant to this section, after stating the purpose or purposes of the bonds and any other matters or things authorized or required by law, shall disclose its effect on the borrowing margin of each municipality comprised within such school district. Such disclosure shall include showing the amount, if any, of such borrowing margin before adoption of the proposal and showing the amount of such borrowing margin, if any, which will be used up in event of adoption of the proposal and showing the amount, if any, of net debt in excess of the measure of such borrowing margin in event of adoption of the proposal, and shall be sufficient if set forth in substantially the following form with appropriate figures inserted:

Effect on
borrowing
margin shown.

Resolved that the board of education is hereby authorized:

To * * * ; and

To issue bonds of the school district for said purpose (or purposes) in the principal amount of \$ (insert amount of bonds to be issued), thus using up all of the \$ (insert amount of borrowing margin before adoption of proposal) borrowing margin of the (insert name of municipality) presently available for other improvements and also increasing its net debt \$ (insert amount, after adoption of

proposal, of net debt of the municipality in excess of seven per centum (7%) of the amount stated in the supplemental debt statement required by this article to be filed prior to the authorization of the bonds to be issued as the average of the three next preceding assessed valuations of the taxable real property (including improvements) of the municipality, as stated in the annual debt statement of the municipality last filed) beyond such borrowing margin, and (if there be other municipality or municipalities comprised within such school district) using up all (or, in an appropriate case, an amount) of the \$ (insert amount of borrowing margin before adoption of proposal) borrowing margin of the (insert name of municipality) presently available for other improvements and (in every case where all borrowing margin is used) also increasing its net debt \$ (insert amount, after adoption of proposal, of net debt of the municipality in excess of seven per centum (7%) of the amount stated in the supplemental debt statement required by this article to be filed prior to the authorization of the bonds to be issued as the average of the three next preceding assessed valuation of the taxable real property (including improvements) of the municipality, as stated in the annual debt statement of the municipality last filed) beyond such borrowing margin, et cetera, et cetera.

2. This act shall take effect immediately.

Approved May 13, 1947.

CHAPTER 154

AN Act authorizing the preparation of a revision, consolidation and compilation of the statute law, of a general and permanent nature, enacted since the enactment of the Revised Statutes, which shall be effective upon, or take effect after, a date, not later than October first, one thousand nine hundred and forty-eight, to be fixed by the Law Revision and Bill Drafting Commission; appointing a commission to enter into contract for the indexing and preparation of the same for the press with appropriate schedules, and for the printing and binding thereof if the same shall be enacted; and providing for an option to the State to purchase one thousand copies of said work at a price to be fixed in said contract.

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

1. The Law Revision and Bill Drafting Commission hereby is directed to revise, simplify, arrange, compile and consolidate all of the statute law of a general and permanent nature enacted after the date of the enactment of the Revised Statutes and prior to such date as the commission shall determine but not later than the first day of October, one thousand nine hundred and forty-eight, which shall be in effect on said date or shall take effect thereafter and in the performance of such duty, the said commission shall carefully collect and reduce the same to one or more proposed statutes in such manner as to reconcile and make more consistent the provisions thereof one with the other and with the provisions of the Revised Statutes, as far as may be practicable, and to supply omissions and correct errors in the text thereof, but no change

To prepare
revision and
consolidation
of laws.

shall be made in the phraseology or distribution of the sections of any statute which has been made the subject of judicial decision by which the construction as established by such decision shall or can be impaired or affected.

Copy of revision submitted to Legislature.

2. The said commission shall lay before the Legislature, at its next session after the completion of said work, to be enacted if the Legislature shall so determine, a copy of said revision, consolidation and compilation so prepared by them with the material therein included, classified and distributed under titles, chapters, sections and other suitable divisions and subdivisions as the commission shall deem proper and as shall be in accordance with the general arrangement and classification of the Revised Statutes and as shall be convenient for use with the Revised Statutes.

Commission, contracts.

3. The Governor, the President of the Senate and the Speaker of the House of Assembly hereby are appointed a commission and are authorized to enter into contract, without advertising for bids, with a competent law publisher for the furnishing to the Law Revision and Bill Drafting Commission of such technical assistance as may be required in the preparation of said work for the press, for the preparation of a complete and practical fact index of the contents thereof and of such ancillary matters as tables and notes as the Law Revision and Bill Drafting Commission shall prescribe and for the printing and binding of said work to the end that the same may be published by said law publisher.

Provisions of contract.

4. The said contract shall provide that said work shall be printed in the same format and bound in similar material as is the Revised Statutes with headnotes briefly expressing the matter contained in the various sections of the text and source notes indicating the source from which the material found in each section shall have been derived, and such other cross-references and explanatory notes as the Law Revision and Bill Drafting Commission shall direct and that it shall contain a full

and complete general index of its contents, a schedule indicating the disposition therein of the various sections so revised, consolidated and compiled, a schedule of such of said sections omitted from said revision, consolidation and compilation by reason of their not being general and permanent in their nature or of not being in effect on the date so determined upon by said commission or to come into effect thereafter, and a schedule of all acts repealed since the enactment of the Revised Statutes, and shall provide further that said work shall not be copyrighted and shall remain in the public domain.

5. The said contract shall provide further that one thousand copies of said revision, consolidation and compilation shall be reserved for one year, for sale to the State of New Jersey, for such sum as shall be agreed upon in said contract but not to exceed in the aggregate the sum of thirty thousand dollars (\$30,000.00), if the State desires to purchase the same, and the same shall be delivered to the Secretary of State if and when sufficient sums shall be appropriated to make said purchase and, upon the certification by the Secretary of State that the same have been delivered to him as aforesaid, the said sum so agreed upon shall be paid to the said law publisher out of the sum so appropriated according to the warrant of the State Commissioner of Taxation and Finance drawn upon the State Treasurer.

Copies reserved
for State.

6. Said one thousand copies of said work shall be distributed as follows:

Distribution.

One copy to each member of the present Legislature;

One copy to each member of the next Legislature who shall not receive a copy as a member of the present Legislature;

Four hundred fifty copies in like manner, except to the members of the Legislature, as the Law and Equity Reports of this State are now distributed;

Thirty copies to the Law Revision and Bill Drafting Commission; and

The remainder among the various State departments according to their respective requirements as the Secretary of State shall determine.

Title of
revision.

7. Said work shall be entitled "Revised Statutes of New Jersey, First Supplement," and shall declare on its title page that the statute laws therein contained are published under the authority of the Legislature.

8. This act shall take effect immediately.

Approved May 13, 1947.

CHAPTER 155

AN ACT to amend "An act to prevent and eliminate practices of discrimination in employment and otherwise against persons because of race, creed, color, national origin, or ancestry; to create a division in the Department of Education to effect such prevention and elimination; and making an appropriation therefor," approved April sixteenth, one thousand nine hundred and forty-five (P. L. 1945, c. 169), and repealing section eight-A of said act.

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

C. 18:25-8.
Commissioner's
duties.

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

8. The commissioner shall

a. Exercise all powers of the division not vested in the council.

b. Administer the work of the division.

c. Prescribe the organization of the division and the duties of his subordinates and assistants.

d. Subject to the approval of the council and the Governor, appoint an assistant commissioner of

education, who shall act for the commissioner, in his place and with his power, and such other directors, field representatives and assistants as may be necessary for the proper administration of the division and fix their compensation within the limits of available appropriations. The assistant commissioner, directors, field representatives, and assistants shall not be subject to the civil service act and shall be removable by the commissioner at will.

e. Appoint such clerical force and employees as he may deem necessary and fix their duties, all of whom shall be subject to the civil service act.

f. Maintain liaison with local, State and Federal officials and agencies concerned with matters related to the work of the division.

g. Subject to the approval of the council, adopt, promulgate, amend, and rescind suitable rules and regulations to carry out the provisions of this act.

h. Receive, investigate and pass upon complaints alleging discrimination in employment against persons because of race, creed, color, national origin or ancestry.

i. Hold hearings, subpœna witnesses, compel their attendance, administer oaths, take the testimony of any person, under oath, and in connection therewith, to require the production for examination of any books or papers relating to any matter under investigation or in question before the commissioner. The commissioner may make rules as to the issuance of subpœnas by the assistant commissioner.

j. Issue such publications and such results of investigations and research tending to promote good will and to minimize or eliminate discrimination because of race, creed, color, national origin or ancestry, as the council shall direct.

k. Render each year to the Governor and Legislature a full written report of all the activities of the division.

C. 18:25-9.
Section 8A
repealed.

2. Section eight-A of "An act to prevent and eliminate practices of discrimination in employment and otherwise against persons because of race, creed, color, national origin or ancestry; to create a division in the Department of Education to effect such prevention and elimination; and making an appropriation therefor," approved April sixteenth, one thousand nine hundred and forty-five, is repealed.

3. This act shall take effect immediately.

Approved May 13, 1947.

CHAPTER 156

AN ACT concerning public assistance, providing State aid to certain counties and municipalities therefor, regulating the administration thereof, and repealing certain statutes relating thereto (Revision).

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

C. 44:8-107.
Short title.

1. This act may be cited as the "General Public Assistance Law."

C. 44:8-108.
Terms defined:

2. As used in this act:

Commissioner;

"Commissioner" means the Co-ordinator of the Department of Economic Development;

Department;

"Department" means the Department of Economic Development;

Municipality;

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

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 employ-

ment due either to physical disability or inability to find employment, and includes what is commonly called "relief" or "emergency relief";

"State aid" means State aid for public assistance or relief as in this act prescribed and provided for;

State aid;

"Year" means calendar year.

Year.

3. It is hereby declared to be the public policy of this State that every needy person shall, while in this State, be entitled to receive such public assistance as may be necessary, and that the furnishing of such public assistance is primarily the duty of the municipalities and of civic and charitable organizations but that all needy persons not otherwise provided for under the laws of this State shall hereafter receive public assistance pursuant to law and the provisions of this act.

C. 44:8-109.
Public policy.

4. State aid for public assistance for the municipalities and counties of this State shall be administered and distributed by the commissioner in the manner prescribed by this act and shall be paid by the commissioner to the several municipalities and counties entitled thereto, under this act, from the Municipal Aid Fund and from other funds appropriated from the State treasury for such purposes, which shall be drawn upon for said purposes on the orders of the commissioner, in accordance with the provisions of this act, and shall be disbursed as other funds are disbursed from the State treasury.

C. 44:8-110.
State aid
administration.

5. The commissioner shall:

C. 44:8-111.
Commissioner's
duties.

(a) Act as the agent of the State in effectuating the purposes of any reciprocal interstate agreements respecting the transportation of dependents;

(b) Negotiate with the Federal Government as to any present or future programs affecting public relief or assistance for which no provision is made by other statutes of this State and administer such programs in co-operation with the Federal Government or any agency thereof;

(c) Keep and maintain such records and accounts as may be necessary and proper for the administration of State aid;

(d) Promulgate, alter and amend from time to time such rules, regulations and directory orders as may be necessary for the administration of State aid and for the carrying out of any provisions of law regulating the same and of the provisions of this act, which rules, regulations and orders shall be binding upon the various municipalities;

(e) 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 which are binding upon them;

(f) Formulate, promulgate and enforce standards for investigation, allowance and supervision of grants for public assistance and forms and procedures necessary to the proper administration and recording thereof; and

(g) Exercise such other powers as may be necessary for the proper and efficient administration of State aid and the carrying out of all of the provisions of law, including the provisions of this act, regulating the same.

6. The commissioner may:

C. 44:8-112.
Powers of
commissioner.

(a) Determine and prescribe the number and qualifications of the personnel employed or to be employed in administering public assistance in each of the municipalities;

(b) Require the keeping of such records, and the making of such reports, by each municipality, in connection with the administration of State aid within such municipality, in such form, and containing such information, as he may from time to time determine, and make such investigations as he may from time to time deem to be necessary to assure the correctness and verification of the facts stated in such records and reports;

(c) Investigate the administration of public assistance within each municipality and 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 Department;

(d) Withhold payment of State aid from any municipality neglecting or refusing to keep such records or make such reports or to comply with any of the standards and requirements prescribed by the department or with any provision of law governing the administration of State aid including the provisions of this act;

(e) Consult with and advise any local assistance board or other officials of any municipality in connection with any public assistance problem in the municipality.

7. The commissioner may, as to each municipality in which public assistance is administered by the commissioner under this act,

C. 44:8-113.
Administra-
tion as to
municipalities.

(a) Prescribe all rules and conditions under which the funds allotted for State aid shall be administered;

(b) Require such information from applicants for public assistance, make such investigation of the merits of applications for public assistance, prescribe such forms to be used, and set up, maintain and carry out such procedures as may in his discretion be deemed advisable for the economical and efficient administration of public assistance in such municipality;

(c) Make direct distribution of sums allotted as State aid in such municipality as provided by this act; and

(d) Use all or any part of the local organization for administration of public assistance to assist him, upon such terms as he may deem fit and proper.

8. Every municipality shall provide public assistance to the persons eligible thereto, residing therein or otherwise when so provided by law, which shall be administered by a local assistance board according to law and in accordance with this

C. 44:8-114.
Municipality
to provide
public
assistance.

act and with such rules and regulations as may be promulgated by the commissioner.

C. 44:8-115.
Local
assistance
board.

9. Each local assistance board shall be composed of three or five persons as shall be fixed by the governing body of the municipality and at least one of them shall be a woman and they shall be appointed by the chief executive of the municipality upon the approval of the governing body and shall serve without compensation but shall be allowed their necessary and actual expenses.

C. 44:8-116.
Terms of
members.

10. The term of one member of each local assistance board shall be for one year and such member only may be appointed from among the membership of the governing body of the municipality and the terms of the other members thereof shall be as follows:

(a) In municipalities having a board of three members said terms shall be for two years each, expiring in alternate years, and

(b) In municipalities having a board of five members said term shall be for four years each, one term expiring in each year.

The term of each member of a local assistance board shall begin on the first day of January, and each member shall continue in office until his successor shall be appointed and shall qualify.

Vacancies.

Vacancies shall be filled for the unexpired terms only.

C. 44:8-117.
Organization
of local board.

11. Each local assistance board shall organize and select a chairman and a secretary, and shall appoint a director of welfare who shall be the first executive and administrative officer of the board. He shall hold office for a term of five years from the date of his appointment, and 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.

Construing.

Acting
director.

In case of vacancy in the office of director of welfare, one temporary or acting director may be appointed to serve for not more than ninety days.

Other employees, including assistants, clerks, Assistants. 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.

No employee of any welfare department of a municipality whose compensation is paid from funds received or appropriated for public assistance or the administration thereof in any manner shall hold any office in any political party. No political affiliations.

12. The director of welfare of each municipality shall as to such municipality: C. 44:8-118. Duties of welfare director.

(a) Supervise by periodic investigation every person receiving public assistance, such investigation to be made by visitation at least once a month;

(b) Reconsider from month to month the amount and nature of public assistance given and alter, amend or suspend the same when the circumstances so require;

(c) Devise ways and means for bringing persons unable to maintain themselves to self-support or to the support of any other person or agency able and willing so to do;

(d) Keep full and complete records of such investigation, supervision, assistance and rehabilitation, and of all certifications of persons for employment or benefits and cancellations thereof, in such manner and form as required by the commissioner; and

(e) Bring about appropriate action for commitment to any State or county institution when the best interests of the needy persons would be so served.

13. Each applicant for public assistance in any municipality shall be required to make an affidavit to the correctness of his or her statements in his or her application for relief. C. 44:8-119. Applicants' affidavit.

14. Immediate public assistance shall be rendered promptly to any needy person by the director of welfare of the municipality where the person is found at the time of application therefor, subject to determination and adjustment of responsibility as provided by law. C. 44:8-120. Immediate assistance.

C. 44:8-121.
Inquiry by
director.

15. When a person shall apply for public assistance for himself or his dependents, the director of welfare shall inquire into the facts, conditions and circumstances of the case, including legal residence, family connections, living conditions, resources, income, and causes direct and indirect of the person's need, and such other matters as the commissioner may require, making a written record thereof in such manner as may be prescribed by the commissioner.

C. 44:8-122.
Written
order by
director.

16. The director of welfare, by a written order, shall render such aid and material assistance as he may in his discretion, after reasonable inquiry, deem necessary to the end that such person may not suffer unnecessarily, from cold, hunger, sickness, or be deprived of shelter pending further consideration of the case.

C. 44:8-123.
Order for
continued
assistants.

17. The director of welfare upon completion of investigation shall determine whether or not continued assistance is necessary, and shall make such order as in his judgment is warranted, having due regard to the circumstances disclosed by investigation.

C. 44:8-124.
Method of
assistance.

18. Continued assistance under this act may be provided in such a manner as to meet any or all of the several needs of, or as may be necessary to protect the well-being of, the person or persons to whom assistance is to be granted such as the provision of food, milk, shelter, fuel, clothing or medical care and it may be provided by:

(a) Cash assistance or,

(b) Any other method authorized by the local assistance board, approved by the governing body, and complying with the regulations of the commissioner.

Extent of
individual
grants.

The extent of individual grants shall be determined in accordance with the standards and budgets authorized by the commissioner.

C. 44:8-125.
Other income
not a bar
to relief.

19. The fact that an applicant for public assistance or any of his dependents shall be receiving, or entitled to receive, income from other sources or compensation for part-time or casual services

shall not make such person ineligible to receive public assistance if such income or compensation is insufficient to support him and his dependents properly but the amount of such income or compensation shall be taken into consideration in determining the amount of his public assistance by deducting from the amount of public assistance which he otherwise would be entitled to receive, the amount of such income or compensation.

20. No welfare department of any municipality shall directly or indirectly exploit or permit to be exploited recipients of public assistance for political purposes.

C. 44:8-126.
Political
exploiting
prohibited.

21. The director of welfare may in his discretion summarily revoke any order for continued assistance whenever it shall appear that the person is no longer needy within the meaning of this act or will be otherwise adequately provided for.

C. 44:8-127.
May revoke
order.

22. In each year, the commissioner shall ascertain and determine as to each municipality in the State:

C. 44:8-128.
Determination
as to
municipalities.

(a) The sum total of the net valuation taxable, and the value of the second-class railroad property, therein, as exhibited in the abstract of ratables of the several counties for the preceding year as made out by the State Commissioner of Taxation and Finance and filed in the office of the State Comptroller, which sum total shall be known as the municipalities "preceding year's ratables";

(b) The cost of public assistance, exclusive of the cost of administration thereof, for the preceding year therein, which shall be known as the municipalities "preceding year's public assistance load";

(c) The cost of public assistance, exclusive of the cost of administration thereof, for the current year therein, which shall be known as the municipalities "current year's public assistance load";

(d) 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 the "preceding year's public assistance

load" which millage shall be known as the municipalities "preceding year's public assistance millage."

In determining any municipality's "preceding year's public assistance load" and "current year's public assistance load," the commissioner may include therein the cost to the municipality of public assistance paid or payable by the welfare board of the county.

C. 44:8-129.
Determining
amount of
State aid.

23. In each year the commissioner shall determine the amount of State aid which each municipality shall receive in such year, and the same shall be distributed by the commissioner among the various municipalities making application therefor to the commissioner before July first of such year, except those in which public assistance shall be administered by the commissioner for all or any part of such year, by the payment to each municipality of an amount to be determined as follows:

(a) To each municipality whose "preceding year's public assistance millage" is not more than 1.6 mills, an amount equivalent to forty per centum (40%) of its "current year's public assistance load";

(b) To each municipality whose "preceding year's public assistance millage" is more than 1.6 mills and is not more than 2.4 mills, an amount equivalent to forty-five per centum (45%) of its "current year's public assistance load";

(c) To each municipality whose "preceding year's public assistance millage" is more than 2.4 mills and is not more than 2.8 mills, an amount equivalent to fifty per centum (50%) of its "current year's public assistance load";

(d) To each municipality whose "preceding year's public assistance 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 public assistance load";

(e) To each municipality whose "preceding year's public assistance 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 public assistance load";

(f) To each municipality whose "preceding year's public assistance 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 public assistance load";

(g) To each municipality whose "preceding year's public assistance millage is more than 3.6 mills and is not more than 4.0 mills, an amount equivalent to fifty-eight per centum (58%) of its "current year's public assistance load";

(h) To each municipality whose "preceding year's public assistance millage" is more than 4.0 mills, an amount equivalent to sixty per centum (60%) of its "current year's public assistance load."

The percentage for each municipality applicable under the above formula shall be known as such municipality's "public assistance percentage."

24. The commissioner may make payments, from time to time, under the above stated formula to any such municipality in advance of the determination of such municipality's "current year's public assistance load" on the basis of estimates made by him of such municipality's "current year's public assistance load" making such adjustments in later payments to each such municipality as may be required when such municipality's actual "current year's public assistance load" is determined.

C. 44:8-130.
Advance pay-
ments, basis.

25. The commissioner shall deduct from the amount of the State aid payable to any municipality in any one year an amount equal to the amount by which the State aid paid to the municipality exceeded the cost of public assistance to the municipality, exclusive of the cost of administration thereof, or the total amount of State aid payable to such municipality, for any preceding year and if the amount of State aid payable to any such municipality in any year does not equal the amount of such excess the director shall withhold any State aid due the municipality for the succeeding and

C. 44:8-131.
Amount to
be deducted
from State
aid to
municipality.

for subsequent years if necessary until the amount of State aid withheld from the municipality equals the total amount of such excess.

C. 44:8-132.
State aid
to county
furnishing
hospitalization.

26. State aid shall also be payable to any county furnishing hospitalization in a county maternity hospital to nonpaying patients, who are bona fide public assistance cases, on the basis of the per diem rate currently fixed by the department for maternity hospitalization for mother or child, as the case may be, by multiplying the number of patient days of such hospitalization at said rate by the "public assistance percentage" of the several municipalities in which such patients respectively resided at the time of such hospitalization for the current year, which State aid shall be payable from time to time upon the filing with the commissioner by the president or chief executive officer of such county maternity hospital of statements under oath, in such form as shall be required by the commissioner, setting forth the hospitalization so rendered to each nonpaying patient, that each such patient is a bona fide public assistance case and any additional information which may be required by the commissioner, and shall be paid to the county treasurer of the county by the commissioner, as other payments of State aid are made, out of the Municipal Aid Fund or other funds appropriated from the State treasury for such purposes.

C. 44:8-133.
When com-
missioner to
administer.

27. The commissioner shall administer public assistance in any year,

(a) In any municipality, in which the "preceding year's public assistance millage" for such year is more than 7.0 mills, which shall make application in writing to him, on or before the first day of March of such year, to have him take over the administration of public assistance in such municipality for such year, and

(b) In any municipality in which public assistance was being administered by him during the preceding year, which does not elect to administer its own public assistance by giving notice to that

effect to the commissioner as provided in this act; and, in either case, public assistance shall be administered in such municipality as hereinafter provided.

28. In any municipality in which public assistance shall be administered by the commissioner during any year,

C. 44:8-134.
Acts by
municipality
under com-
missioner's
administration.

(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 the administration and payment of public assistance, shall be delivered forthwith to the commissioner;

(b) The municipality shall make, or shall have made, an appropriation for the cost of administration of public assistance in such municipality for such year in an amount not less than the amount appropriated by it for the cost of administration of public assistance for the preceding year and shall make, or shall have made, an appropriation for public assistance, exclusive of the cost of administration thereof, for such year in an amount not less than 1.0 mills of its "preceding year's ratables";

(c) All obligations incurred by the municipality for the cost of administration of public assistance in such year prior to the taking over the administration of public assistance therein by the commissioner, if any, and all obligations incurred for the cost of administration of public assistance in said municipality thereafter during such year shall be paid, from time to time, by the municipality out of its appropriation for the administration of public assistance for such year according to the orders of the commissioner and not otherwise, so far as such appropriation will permit, and any remainder of such obligations shall be paid, from time to time, by the commissioner as such municipality's State aid for said year, according to orders drawn by him, out of the Municipal Aid Fund or other funds appropriated from the State treasury for such purposes, as other payments of State aid are made;

(d) All obligations incurred for public assistance in such municipality for such year, prior to the taking over of the administration thereof by the commissioner, if any, and all obligations incurred for public assistance in such municipality thereafter during such year shall be paid, from time to time, by the municipality on the orders of the commissioner and not otherwise, out of its appropriation for public assistance for such year, so far as such appropriation will permit; and then, out of any balance for State aid, if any, remaining in its "public assistance trust fund account" applicable to the cost of public assistance in such municipality for such year, so far as such balance will permit, and any remainder of such obligations shall be paid, from time to time, by the commissioner, as such municipality's State aid for said year, according to orders drawn by him, out of the Municipal Aid Fund or other funds appropriated from the State treasury for such purposes, as other payments of State aid are made.

C. 44:8-135.
Municipality
to administer.

29. If any municipality, in which public assistance is being administered by the commissioner in any year, shall give notice in writing to the commissioner, before the first day of January of the next year, of its election to administer its own public assistance in such next year, such municipality shall thereafter, beginning with said first day of January, administer its own public assistance and be entitled to receive State aid in accordance with the formula set forth in section twenty-three of this act, but such municipality may in any succeeding year make application to the commissioner, as provided in this act, to administer its public assistance.

C. 44:8-136.
Assistance
act of
municipal
aid fund.

30. Any municipality, in which the commissioner is administering public assistance pursuant to the provisions of this act in any year, may elect to administer its own public assistance in such year by giving notice in writing of such election to the commissioner on or before the first day of March of such year and thereafter the limitations imposed

upon such municipality under section twenty-eight of this act shall cease and such municipality shall administer its own public assistance and shall be entitled to receive State aid for such year in accordance with the formula set forth in section twenty-three of this act, less such sums, if any, as have already been paid, and such obligations, if any, as have already been incurred and as shall be payable, by the commissioner, for the cost of administration of public assistance and for public assistance in such municipality for such year, out of the Municipal Aid Fund or other funds appropriated from the State treasury for such purposes.

31. The cost of administration of public assistance within any municipality shall be paid by the municipality and no part thereof shall be paid by the State except as provided in section twenty-eight of this act.

C. 44:8-137.
Municipality
to pay cost of
administration.

32. Every payment for State aid made pursuant to this act to a municipality shall be made to the treasurer of the municipality and shall be deposited by him in a "public assistance trust fund account" and shall be used only for payment on account of the cost of public assistance, exclusive of the cost of administration thereof, for the year for which such State aid is granted and any balance remaining in such "public assistance trust fund account" after all such payments have been made or provided for, shall be used for payment on account of the cost of public assistance in such municipality, exclusive of the cost of administration thereof, for the next succeeding year.

C. 44:8-138.
Payment and
deposit of
State aid.

33. No municipality receiving State aid for relief for any year shall, during said year, make any transfer of its current budget appropriation for public assistance for said year to any other current budget appropriation.

C. 44:8-139.
Not to make
transfer.

34. Any person applying for public assistance under the provisions of this act who shall make any false statement and by reason thereof receives benefits under the provisions of this act in excess of those to which he is or was actually entitled, shall be guilty of a misdemeanor.

C. 44:8-140.
False state-
ment a
misdemeanor.

C. 44:8-141.
Hearings on
writs of
mandamus.

35. Any justice of the Supreme Court sitting alone shall have power to allow, hear and determine writs of mandamus requiring the performance of any act herein provided to be performed by a municipality or any officer, board or body thereof, with the same force and effect as the Supreme Court may allow, hear and determine such writs.

C. 44:8-142.
Failure to
comply a
misdemeanor.

36. If any municipal officer, board or body shall willfully fail or refuse to comply with any of the provisions of this act, such officer, and members of such board or body shall be guilty of a misdemeanor.

C. 44:8-143.
Sundry acts
repealed.

37. The following acts together with all amendments thereof and supplements thereto are repealed:

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);

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 (P. L. 1940, c. 151);

An act to abolish the State Financial Assistance Commission, to provide for the completion of said commission's affairs by the State Municipal Aid Administration, and to repeal chapter eight of Title 44 of the Revised Statutes, approved July eighth, one thousand nine hundred and forty (P. L. 1940, c. 183);

An act concerning the administration of relief, approved March twenty-eighth, one thousand nine hundred and forty-one (P. L. 1941, c. 28);

An act to provide for the physical rehabilitation by the State Municipal Aid Administration of certain persons heretofore or hereafter rejected for service in the Armed Forces of the United States, for physical disability, under the Federal Selective

Training and Service Acts and transferring and appropriating the sum of twenty-five thousand dollars (\$25,000.00) from the sums heretofore transferred and appropriated to the State Municipal Aid Administration, to provide for the payment of the cost thereof, approved October third, one thousand nine hundred and forty-two (P. L. 1942, c. 306), but the repeal thereof shall not revive any acts or parts of acts repealed thereby.

38. This act shall not be construed to repeal, alter or modify the provisions of chapter one of Title 44, or chapter four of Title 44, of the Revised Statutes except to the extent herein otherwise expressly provided nor to repeal, alter, amend or modify the provisions of chapter seven of Title 44, or chapter five of Title 30 of the Revised Statutes or of "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)," approved August fourth, one thousand nine hundred and forty-one (P. L. 1941, c. 357).

C. 44:8-144.
Construing.

39. This act shall be construed as a revision of prior laws and its provisions not inconsistent with those of prior laws shall be construed as a continuation of such laws and neither the enactment of this act, nor the repeal of the acts herein repealed, shall abolish, or in any manner affect, any office, position or employment, or any board, commission or public body existing at the time of the enactment of this act, or the tenure, term or salary of any holder or member thereof.

C. 44:8-145.
Construed as
a revision.

40. This act shall take effect immediately.
Approved May 13, 1947.

CHAPTER 157

AN ACT concerning State highways, authorizing the expenditure of highway funds, and supplementing Title 27 of the Revised Statutes.

Preamble. WHEREAS, By a Joint Resolution No. 1 approved January twenty-third, one thousand nine hundred and forty-five, it was resolved that a particular section of State Highway Route No. 29 be designated as Blue Star Drive, and that such section of said highway and all trees and shrubs planted along said section shall be maintained by the State as a memorial commemorating the New Jersey men and women of the armed forces who have served in the present war; and

Preamble. WHEREAS, The State Highway Commissioner, pursuant to said resolution, has filed with the Secretary of State a description of the particular section of said Route No. 29 so designated as Blue Star Drive as comprising that part of said route between Chapel Island in Mountainside and North Drive in North Plainfield, in the counties of Union and Somerset; and

Preamble. WHEREAS, The Garden Club of New Jersey, co-operating with the State Highway Department, has planted great numbers of trees and shrubs along said section of Route No. 29, and it is now found advisable to improve the character and usefulness of said memorial; therefore,

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

Authorized
to construct
roadside rests. 1. The State Highway Commissioner is hereby authorized to acquire by gift, purchase, or condemnation such real estate or interest therein within or contiguous to the designated area as may be necessary to construct and maintain along State

Highway Route No. 29 roadside rests not exceeding an average depth of two hundred feet beyond the traveled way for the health, safety, welfare and accommodation of the traveling and general public, to provide parking strips not exceeding an average of one hundred feet in depth and to erect suitable markers of a permanent character to define the boundaries of the area.

2. The State Highway Commissioner is further authorized to plant trees along both sides of said Route No. 29, within the area, to commemorate the State employees who have served in the present war. In commemoration.

3. The State Highway Commissioner is hereby authorized to expend highway funds available to effectuate the purposes of this act. May expend funds.

4. This act shall take effect immediately.

Approved May 19, 1947.

CHAPTER 158

AN ACT respecting the investment of certain moneys now in the State treasury.

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

1. The State Treasurer is hereby authorized to invest and reinvest the following moneys, now in the State treasury, in the notes or bonds of the United States of America, to wit: C. 52:18-25.2. Treasurer authorized to invest in U. S. bonds.

(a) Deposits of moneys by railroad companies for the construction of railroads, where the amount has remained unclaimed for more than twenty years.

(b) Moneys held on account of unrepresented and unpaid bonds and coupons of the State of New Jersey where the bonds and coupons have not been presented for payment for at least two years from due date.

C. 52:18-25.3.
May sell.

2. In the event that any claim for such railroad deposits shall be made and allowed, and in the event that any such bonds or coupons shall be presented for payment, the State Treasurer is hereby authorized and empowered to sell so much of the securities aforesaid as will enable him to make the necessary payment or payments.

C. 52:18-25.4.
Interest
credited.

3. Interest earned on any such investments shall be paid into the General State Fund, but the State Treasurer shall first deduct therefrom any premium paid on account of notes or bonds purchased, as well as the necessary expenses incurred in administering this act.

4. This act shall take effect immediately.

Approved May 20, 1947.

CHAPTER 159

AN ACT respecting the issuance of licenses for hunting and fishing, and amending sections 23:3-6, 23:3-7, 23:3-8, 23:3-9, 23:3-10, 23:3-13, 23:3-14, 23:3-15, 23:3-16, 23:3-18, 23:3-19 and 23:3-20 of the Revised Statutes.

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

Section
amended.

1. Section 23:3-6 of the Revised Statutes is amended to read as follows:

To furnish
license blanks
and buttons.

23:3-6. The board shall determine the form of the license and button, prepare the license blanks and buttons, and furnish license blanks and buttons to the clerk of each county and municipality, and each salaried warden, and any agent designated by the Division of Fish and Game to issue licenses. Additional license blanks and buttons shall be furnished by the board to such clerks and salaried wardens and agents upon request, as required.

2. Section 23:3-7 of the Revised Statutes is amended to read as follows: Section amended.

23:3-7. The licenses and buttons shall be procured from the clerk of any county or municipality or a salaried warden of this State or from any agent designated by the Division of Fish and Game to issue licenses. The license shall state the name, age, occupation and residence of the licensee and any other facts the board requires. It shall be signed by the licensee in ink and, shall be signed by the clerk, agent or warden issuing same. Issuance of license and buttons.

The applicant for a license shall report to the person issuing it, all fish, birds, animals and vermin killed by him during the previous calendar year, and the issuing agency shall fill out this report on the blank provided before issuing a license to the applicant. Every applicant for a license shall prove to the satisfaction of the clerk, agent or warden to whom application is made for a license, that he is entitled to the license for which he applies. Report of licensee.

3. Section 23:3-8 of the Revised Statutes is amended to read as follows: Section amended.

23:3-8. Every license blank shall have attached to it by perforation a coupon, to be known as a return stub, containing blanks which shall be filled in by the clerk, agent or warden issuing the license, at the time the license is issued, showing where, when, to whom and by whom the license was issued, and any information the board requires. Attached by perforation to the return stub shall be a stub to be retained by the clerk, agent or warden containing blanks which shall be filled in by the clerk, agent or warden issuing the license at the time the license is issued, giving the same information as that stated on the return stub. The license blank, the return stub and the stub to be retained by the clerk, agent or warden shall bear the same serial number. In case a license blank is spoiled, the license blank and button bearing the same serial number shall be marked "spoiled" diagonally across its face, and both stubs bearing the same serial number shall be similarly marked. Stub attached to license.

Same serial number.

Spoiled blanks.

Section
amended.

Monthly
returns.

4. Section 23:3-9 of the Revised Statutes is amended to read as follows:

23:3-9. On or before the tenth day of each month the clerk of every county and of every municipality, and every salaried warden of the State, and every designated agent of the division, shall send the fees collected for all licenses issued during the preceding month, except the issuance fees, which may be retained by him, and every license blank and button that has been spoiled during the preceding month, to the board, together with a list showing the serial number of each license issued and paid for, the name and residence of the person to whom the license was issued, and the number of spoiled license blanks returned.

Section
amended.

Board's
monthly
return of fees.

5. Section 23:3-10 of the Revised Statutes is amended to read as follows:

23:3-10. On or before the twentieth day of each month the board shall send to the State Treasurer all fees received by it for licenses reported issued by clerks, agents and wardens during the preceding month, and every spoiled license blank and corresponding button returned to it by the clerks, agents and wardens. The board shall send at the same time to the State Treasurer a schedule showing the number of spoiled license blanks remitted, the serial number of each license issued and paid for, and the name and residence of the person to whom each license has been issued during the preceding month.

Section
amended.

Annual returns
to board.

6. Section 23:3-13 of the Revised Statutes is amended to read as follows:

23:3-13. On or before January tenth in each year the clerk of each county and of each municipality, and each salaried warden, and each agent, shall send to the office of the board all return stubs of licenses issued during the preceding year ending December thirty-first, all unused license blanks and unused buttons and all return stubs of license blanks spoiled during that year. The return stubs and unused license blanks and buttons shall be placed by each clerk, agent and salaried warden in three separate packages, each of which packages

shall contain the return stubs and unused license blanks and buttons of one kind of license only. Each package shall be plainly marked with the name and address of the clerk, agent or salaried warden sending it and with the kind of license contained therein. With the packages each clerk, agent and salaried warden shall send a statement of the total amount received by him for the issuance of licenses during that year and the total amount theretofore remitted to the board during the preceding year ending December thirty-first, together with a tabulated statement showing the number, during the year, of license blanks received, of licenses issued, of license blanks received but not used, and of license blanks spoiled.

7. Section 23:3-14 of the Revised Statutes is amended to read as follows: Section amended.

23:3-14. A county or municipal clerk, an agent or a salaried warden who shall fail or neglect to make a return or report required by this article within the time herein limited therefor shall be liable to a penalty of one hundred dollars (\$100.00) for each offense. Penalty for failure to make return.

8. Section 23:3-15 of the Revised Statutes is amended to read as follows: Section amended.

23:3-15. A county or municipal clerk or a salaried warden or an agent who fails to turn over any moneys collected for licenses, and a magistrate who fails to turn over any moneys collected as a penalty, at the time and in the manner required by law, shall be guilty of a misdemeanor. Failure to turn over money a misdemeanor.

9. Section 23:3-16 of the Revised Statutes is amended to read as follows: Section amended.

23:3-16. Every county clerk, municipal clerk and salaried warden, and designated agent shall issue licenses and buttons in accordance herewith immediately upon proper application therefor and payment of the fee herein prescribed. Licenses issued promptly.

10. Section 23:3-18 of the Revised Statutes is amended to read as follows: Section amended.

23:3-18. A clerk, agent or salaried warden who antedates a license shall be guilty of a misdemeanor. Not to antedate licenses.

Section
amended.

Records open
to inspection

Section
amended.

Penalty for
violation.

11. Section 23:3-19 of the Revised Statutes is amended to read as follows:

23:3-19. All records of a county or municipal clerk, agent or salaried warden referring to a license issued under this article shall be open, at all times, to public inspection.

12. Section 23:3-20 of the Revised Statutes is amended to read as follows:

23:3-20. A person who at any time alters, disfigures or changes in any manner, or loans or transfers to another, a license or button issued under this article, gives false information or makes any misrepresentation to the clerk, agent or warden to whom application is made for a license hereunder, or who violates any provision of this article for the violation of which a penalty is not herein otherwise provided, shall be liable to a penalty of twenty dollars (\$20.00), and upon conviction the license and button issued to him, if any, shall be revoked by the court or magistrate before whom the conviction is secured. The court or magistrate shall send the license and button marked "revoked," to the office of the board, and any license issued to a person whose license has been revoked during the year for which the license was issued shall be void. A person who shall fail or neglect to perform a duty imposed on him by this article shall be liable to a penalty of twenty dollars (\$20.00) for each failure. No penalty fixed by this section shall apply to an offense which is a misdemeanor under this article.

13. This act shall take effect immediately.

Approved May 20, 1947.

CHAPTER 160

AN ACT to provide for the retirement upon pension of certain employees of cities, and amending section 43:12-1 of the Revised Statutes.

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

1. Section 43:12-1 of the Revised Statutes is amended to read as follows: Section amended.

43:12-1. A person who has been continuously in the employ of any city for a period of twenty-five years and has reached the age of seventy years or who has been continuously in the employ of any city for a period of forty years and has reached the age of sixty years or who has been continuously or otherwise in the employ of any city for a period of twenty-five years and has reached the age of seventy-five years, may retire or be retired at any time thereafter. On or after retirement he shall be paid in semimonthly installments by the city one-half of the amount he was receiving as salary from the city at the time of his retirement. Retirement for service and age.

Nothing in this section shall in any way affect the provisions of chapter sixteen of this Title (43:16-1 et seq.). Construing.

2. This act shall take effect immediately.

Approved May 20, 1947.

CHAPTER 161

AN ACT concerning the Board of Utility Commissioners, its jurisdiction over autobusses, and amending section 48:4-1 of the Revised Statutes.

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

Section
amended.

1. Section 48:4-1 of the Revised Statutes is amended to read as follows:

Autobus
defined.

48:4-1. The term "autobus" as used in this chapter means and includes, except as hereinafter noted, any motor vehicle or motorbus operated over public highways or public places in this State for the transportation of passengers for hire in intrastate business, notwithstanding such motor vehicle or motorbus may be used in interstate commerce.

Construing.

Nothing contained herein shall be construed to include:

a. vehicles engaged in the transportation of passengers for hire in the manner and form commonly called taxicab service unless such service becomes or is held out to be regular service between stated termini;

b. hotel busses used exclusively for the transportation of hotel patrons to or from local railroad or other common carrier stations including local airports;

c. busses operated solely for the transportation of school children and teachers;

d. any autobus with a carrying capacity of not more than eight passengers operated under municipal consent upon a route established wholly within the limits of a single municipality, which route does not in whole or in part parallel upon the same street the line of any street railway or traction railway or any other autobus route.

The word "person" as used in this chapter means and includes any individual, copartnership, association, corporation or joint stock company, their lessees, trustees, or receivers appointed by any court. Person defined.

The word "street" as used in this chapter means and includes any street, avenue, park, parkway, highway, road or other public place. Street defined.

The term "charter bus operation" as used in this chapter means and includes the operation of an autobus or autobusses by the person owning or leasing such bus or busses pursuant to a contract, agreement or arrangement to furnish an autobus or autobusses and a driver or drivers thereof to a person, group of persons or organization (corporate or otherwise) for a trip designated by such person, group of persons or organization for a fixed charge per trip, per autobus or per mile. Charter bus operation defined.

The term "special bus operation" as used in this chapter means and includes the operation by the owner or lessee of an autobus or autobusses for the purpose of carrying passengers for hire, each passenger paying a fixed charge for his carriage, on a special trip arranged and designated by such owner or lessee, which fixed charge may or may not include meals, lodging, entertainment or other charges. Special bus operation defined.

2. This act shall take effect immediately.

Approved May 20, 1947.

CHAPTER 162

AN ACT concerning the Board of Public Utility Commissioners, its general jurisdiction, defining "public utility," and amending section 48:2-13 of the Revised Statutes.

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

Section
amended.

1. Section 48:2-13 of the Revised Statutes is amended to read as follows:

General
jurisdiction.

48:2-13. The board shall have general supervision and regulation of and jurisdiction and control over all public utilities as hereinafter in this section defined and their property, property rights, equipment, facilities and franchises so far as may be necessary for the purpose of carrying out the provisions of this Title.

Public utility.

The term "public utility" shall include every individual, copartnership, association, corporation or joint stock company, their lessees, trustees or receivers appointed by any court whatsoever, that now or hereafter may own, operate, manage or control within this State any steam railroad, street railway, traction railway, autobus, canal, express, subway, pipe line, gas, electric light, heat, power, water, oil, sewer, telephone or telegraph system, plant or equipment for public use, under privileges granted or hereafter to be granted by this State or by any political subdivision thereof.

Certain
taxicabs
not under
jurisdiction.

Nothing contained in this Title shall extend the powers of the board to include any supervision and regulation of, or jurisdiction and control over any vehicles engaged in the transportation of passengers for hire in the manner and form commonly called taxicab service unless such service becomes or is held out to be regular service between stated termini; hotel busses used exclusively for the transportation of hotel patrons to or from local railroad or other common carrier stations, includ-

ing local airports, or bus employed solely for transporting school children and teachers, or any autobus with a carrying capacity of not more than eight passengers now or hereafter operated under municipal consent upon a route established wholly within the limits of a single municipality, which route does not in whole or in part parallel upon the same street the line of any street railway or traction railway or any other autobus route.

2. This act shall take effect immediately.

Approved May 20, 1947.

CHAPTER 163

AN ACT respecting the issuance of licenses for hunting and fishing, and amending sections 23:3-4 and 23:3-11 of the Revised Statutes.

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

1. Section 23:3-4 of the Revised Statutes is amended to read as follows: Section amended.

23:3-4. The licenses issued under this article shall be as follows: Types of licenses.

a. A license issued to citizens of the United States above fourteen years of age, who are actual and bona fide residents of this State at the time of the application for the license and who have been actual and bona fide residents of the State for at least one year immediately prior thereto. These licenses shall be of two kinds and designated as the residents' hunting license and the residents' fishing license. The residents' hunting license shall authorize its holder to hunt only, and a fee of three dollars (\$3.00) and an issuance fee of fifteen cents (\$0.15) shall be charged therefor. The residents' fishing license shall authorize its holder to fish only, and a fee of three dollars (\$3.00) and an is- Fees.

suance fee of fifteen cents (\$0.15) shall be charged therefor. The license shall be invalid from the date of its issuance when issued to a person not entitled thereto hereunder. Any person, a resident of this State, who is afflicted with total blindness, upon application to the Board of Fish and Game Commissioners shall be entitled to a residents' fishing license without fee or charge.

b. A license issued to a person above fourteen years of age, not entitled to a residents' license, authorizing him to hunt. This license shall be designated as the nonresidents' and aliens' hunting license. The fee for this license shall be fifteen dollars (\$15.00), and an issuance fee of fifty cents (\$0.50).

c. A license issued to a person above fourteen years of age not entitled to a residents' license, authorizing him to fish only. This license shall be designated as the nonresidents' and aliens' fishing license. The fee for this license shall be five dollars (\$5.00), together with an issuance fee of fifty cents (\$0.50). Every nonresidents' fishing license issued hereunder shall be valid and operative only on those days of the week in the open season for angling in this State, as a fishing license issued to residents in this State by the State of residence of the applicant for the New Jersey nonresidents' fishing license shall be valid and operative.

Term.

Every license issued hereunder shall be void after December thirty-first next succeeding its issuance.

Section
amended.

2. Section 23:3-11 of the Revised Statutes is amended to read as follows:

Disposition
of fees.

23:3-11. Sixty cents (\$0.60) of every resident hunting license fee, and twenty-five cents (\$0.25) of every resident fishing license fee remitted to the State Treasurer shall be placed to the credit of a fund to be known as the "public shooting and fishing grounds fund," which fund shall be used exclusively for the acquisition by purchase, lease or otherwise, and the development, maintenance and stocking of game, birds, animals and fish of areas

of land, water, or land and water for use as public hunting and fishing grounds and game refuges. This fund shall be kept separate and apart from the receipts of the board and all other State moneys and shall be disbursed by the State Treasurer on vouchers certified to by the board. The balance of the fee remitted shall be placed to the credit of the "hunters' and anglers' license fund." Any increase of funds collected under this act over and above those now collected under present laws shall be spent for the propagation, purchase, distribution and increase of fish and game.

3. This act shall take effect January first, one thousand nine hundred and forty-eight. Act effective.

Approved May 20, 1947.

CHAPTER 164

AN ACT respecting open seasons on certain game, 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*:

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

23:4-1. No person shall capture, kill, injure, destroy or have in possession any quail, rabbit, hare, gray, black or fox squirrel, raccoon, woodchuck, English or ring-necked pheasant, ruffed grouse, wild turkey, partridge, reedbird, wild swans, wood duck, wild geese, brant, wild ducks, rails or marsh hens, gallinules, coot (commonly known as crow duck), upland plover, black-bellied plover, golden plover, greater or lesser yellowlegs; willets, sandpipers, dowitchers or robin snipe, brown backs, curlews, turnstones or calico backs, godwits or marlin, tattlers, Wilson snipe or jack-snipe, woodcock or any other birds commonly Open and closed seasons.

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 tenth; *provided, however*, no person shall capture, kill, injure, destroy or have in his possession any of the birds or animals mentioned in this paragraph on the first day of any open season for such birds and animals before nine ante meridian.

Woodchuck, from July first to September thirtieth; *provided, however*, that woodchuck may be taken at any time from cultivated farms by landowners or occupants of farms, members of their family, guests or hired help.

Raccoon, from November first to January fifteenth between sunset and sunrise only, except during the open season for deer.

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.

Penalty.

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.

2. This act shall take effect immediately.

Approved May 20, 1947.

CHAPTER 165

AN ACT concerning police and fire pension funds
in cities of the first class.

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

1. In all cities of the first class, assistant police and fire surgeons now holding office may become members of the police and fire pension funds of any such city subject to the rules and regulations of the commission having the supervision and control of said fund. C. 43:16-17.1.
May become
members of
pension fund.

2. This act shall take effect immediately.

Approved May 20, 1947.

CHAPTER 166

AN ACT concerning the salaries to be paid to the mayor or other chief executive officer and members of governing bodies in municipalities, and amending sections 40:46-23 and 40:46-26 of the Revised Statutes.

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

1. Section 40:46-23 of the Revised Statutes is amended to read as follows: Section
amended.

40:46-23. The governing body may, by ordinance, notwithstanding any maximum or minimum limitation fixed by statute, fix and determine the salaries, wages or compensation to be paid to each officer and employee of the municipality who, by law, is entitled thereto, except the members of the governing body and mayor or other chief executive officer therein, whose salaries shall, except as other- Salaries of
officers and
employees,
generally.

wise provided in section 40:46-26 of this chapter, be fixed (1) by vote of the legal voters as herein-after provided, or (2) in municipalities in counties of the third class having a population over eighty thousand by ordinance, subject, however, to referendum to the legal voters as provided by section 40:46-26 of this chapter, and except all such officers whose salaries shall have been adopted or determined by a referendum vote, which salaries shall not be changed except by another and further referendum vote thereon. In case any officer is re-elected to succeed himself after having served one full term, his salary may be once increased during the term for which he is so re-elected.

Section
amended.

Salaries,
governing
body.

2. Section 40:46-26 of the Revised Statutes is amended to read as follows:

40:46-26. The legal voters of any municipality may, by vote at a general election held in such municipality, fix and determine the salary or other compensation to be paid the members of the governing body. They may in the same manner fix the salary or other compensation to be paid the mayor, except in municipalities having a population of more than twenty thousand, in which municipalities the governing body shall fix the salary of the mayor by ordinance. In case the mayor of any municipality is re-elected to succeed himself after having served one full term in such office his salary may be increased not more than once during such term for which he is so re-elected.

Mayor.

In any municipality in counties of the third class having a population over eighty thousand in which the legal voters have not fixed and determined the salaries of the mayor or other chief executive officer or members of the governing body in the manner aforesaid, the governing body may, by ordinance, fix the annual salaries to be paid the mayor or other chief executive officer and members of the governing body, but any such salary shall not be in excess of six hundred dollars (\$600.00) per annum in municipalities having a population not in excess of nine thousand, or one thousand dollars (\$1,000.00) per annum in municipalities hav-

ing a population in excess of nine thousand but not in excess of fourteen thousand, or two thousand five hundred dollars (\$2,500.00) per annum in municipalities having a population in excess of fourteen thousand. Any such ordinance shall become operative in ten days after the publication thereof after its final passage, unless within said ten days, a petition, signed by the voters of such municipality equal in number to at least fifteen per centum (15%) of the entire vote cast in the last preceding general election protesting against the passage of such ordinance, be presented to the governing body, in which case such ordinance shall remain inoperative unless and until a proposition for the ratification thereof shall be adopted at the next general election by a majority of the qualified voters voting on said proposition.

This section shall not be construed to prevent the payment of a per diem compensation, pursuant to section 40:146-14 of this Title, to members of a township committee who are not paid a salary.

This section shall not apply to municipalities governed by the provisions of subtitle four (§ 40:70-1 et seq.) or subtitle five (§ 40:79-1 et seq.) of this Title or boroughs in counties of the fourth or of the sixth class, in which boroughs such salaries may be fixed by ordinance pursuant to section 40:87-60 of this Title, or townships having a population in excess of nine thousand and not in excess of fourteen thousand, in which townships such salaries are fixed by section 40:146-15 of this Title, or to townships in counties of the sixth class bordering on the Atlantic ocean, in which townships such salaries are fixed by chapter two hundred one, laws of one thousand nine hundred and forty-six, or to cities of the fourth class in counties of the sixth class having councilmanic form of government, in which cities the members of the governing body are hereby empowered, by ordinance, to fix the compensation for each of the members thereof at a sum not to exceed five hundred dollars (\$500.00) per annum.

Approved May 20, 1947.

CHAPTER 167

AN ACT to authorize the board of chosen freeholders of any county of the second class to establish the office of superintendent of elections for said county and providing for the appointment, term of office and compensation of such superintendent of elections and fixing his powers and duties, and supplementing Title 19 of the Revised Statutes.

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

C. 19:32-26.
Superintendent
of elections.

1. In any county of the second class the board of chosen freeholders may establish, by resolution, the office of superintendent of elections for the county, and said office when once established shall not be altered or abolished.

Resolution
filed.

The board of chosen freeholders shall file a certified copy of such resolution, attested by the director and clerk of the board, in the office of the Secretary of State within ten days after the adoption of the resolution, and the resolution shall take effect at the expiration of thirty days after the next primary election for the general election, or the next general election, after the adoption of such resolution, whichever shall occur first.

Appointment,
term.

The office so established shall be filled by some suitable person who shall be nominated by the Governor with the advice and consent of the Senate for a term of five years from the date of his appointment and until his successor is appointed and shall have qualified.

Salary.

Each superintendent so appointed shall receive a salary of four thousand dollars (\$4,000.00) per annum to be paid by the county treasurer and shall have his office in the county for which he is appointed.

Vacancies shall be filled, for the unexpired terms only, in the same manner as original appointments are made. Vacancies.

2. Each superintendent may appoint a chief deputy, a clerk, a secretary and any other assistants he considers necessary to carry out the provisions of this Title, and may remove the same whenever he deems it necessary. Those so appointed shall not be subject to any of the provisions of Title 11, Civil Service, but shall be in the unclassified service. Each superintendent shall fix the salaries of the persons so appointed and such salaries certified to and approved under his hand shall be paid semimonthly by the county treasurer of the county in which such persons are so engaged. All other necessary expenses incurred in carrying out the provisions of this Title when certified to and approved by the superintendent shall be paid by the county treasurer of the county in which the superintendent shall maintain his office. C. 19:32-27.
May appoint
deputy and
assistants,
salaries.

3. All necessary expenses incurred in carrying out the provisions of this Title when certified to and approved by such superintendent in connection with an election held in and for a municipality only shall be paid by the municipality. C. 19:32-28.
Expenses.

4. The board of chosen freeholders of such counties shall provide suitable room or rooms for the transaction of the business of such superintendent and procure suitable furniture therefor and any books, stationery, fuel and supplies that may be necessary from time to time. It shall provide a proper place for the safe-keeping of the records and papers. C. 19:32-29.
Office
provided.

5. Such superintendents and their assistants, in order to enforce the laws of this State regarding the conduct of elections, shall investigate all complaints relating to the registration of voters, and for that purpose the superintendents and their assistants shall have full power and authority to visit and inspect any house, dwelling, building, inn, lodging house or hotel and interrogate any inmate, house-dweller, keeper, caretaker, owner, proprietor C. 19:32-30.
To make
investigations.

or landlord thereof or therein as to any person or persons residing or claiming to reside therein or thereat; to inspect and copy any books, records, papers or documents relating to or affecting the elections, either general, special, primary or municipal, or the registration of voters in the custody and control of district boards, county boards, or the clerks or other officers of municipalities; to require every lodging-house keeper, landlord or proprietor to exhibit his register of lodges therein at any time to the superintendent, his subordinates or any other person so designated by such superintendent.

Misdemeanor. Any person who neglects or refuses to furnish any information required or authorized by this Title, or to exhibit the records, papers, or documents herein authorized to be inspected, or which are required to be exhibited, shall be guilty of a misdemeanor.

C. 19:32-31. May issue subpoenas. 6. The superintendent shall have power to issue subpoenas for the purpose of investigating any complaint of violation of the election laws of the State, such subpoenas to be issued in the name of the superintendent and for the purpose of aiding him in enforcing the provisions of the election laws. He may in proper cases issue subpoenas duces tecum. A subpoena issued by the superintendent may be served by any peace officer or any other person designated by him for that purpose.

Refusal a misdemeanor. A person who shall omit, neglect or refuse to obey a subpoena attested in the name of the superintendent and made returnable by him or who shall refuse to testify under oath before such superintendent shall be guilty of a misdemeanor and punished accordingly.

False statement. A person who shall make any false statement under oath before the superintendent shall be guilty of a misdemeanor and punished accordingly.

C. 19:32-32. Admitted to polling places. 7. The superintendent, his subordinates, or any person or persons designated by him, may attend at any election, any of whom shall be admitted at any time within any polling place and within the guard rails thereof.

8. When directed by the superintendent, every landlord, proprietor, lessee or keeper of a lodging house, inn or hotel shall keep a register in which shall be entered the names and residences, the date of arrival and departure of his guests, and the room, rooms or bed occupied by them. This register shall be arranged so that there shall be a space on the same line in which each male guest or male lodger shall sign his name.

C. 19:32-33.
Guest register.

Such landlord, proprietor, lessee or keeper shall make a sworn report upon a blank to be prepared and furnished by the superintendent thirty days before the election next ensuing to such superintendent, containing a detailed description of the premises so used and occupied as a lodging house, inn or hotel, including the size and character of building, and in case only part of a building is so used, a statement as to what part, and the names of the lodgers therein, and all the employees, and all other persons living therein, including the landlord, proprietor, lessee or keeper, and members of his family, who claim a voting residence at or in such lodging house, inn or hotel, together with the length of time they have been regularly lodged or lived therein, the beginning of such residence, the color, approximate age, height, weight, whereby the persons may be identified, the nationality, the occupation and place of business of such persons, and the room occupied by each person, and whether the person is a guest, landlord, proprietor, lessee or keeper, and the signature of each person. Above the space reserved for the signature of each such person shall be printed the following words, "the foregoing statements are true." In the form of affidavit, which shall be sworn to by the landlord, proprietor, lessee or keeper of such lodging house, inn or hotel, shall be included the statement that the signatures of the guests or lodgers certified to in such report were written in the presence of such landlord, proprietor, lessee or keeper, and that he personally knows them to be the persons therein described.

Statement
by landlord
or lessee.

Report.

To the end that the sworn report herein required shall truly set forth the facts therein stated, such landlord, proprietor, lessee or keeper shall question each male person lodging or living in the lodging house, inn or hotel as to his intention of claiming such place as a voting residence, and the person shall thereupon declare his intention thereof, and if he shall claim the place as his voting residence he shall give to such landlord, proprietor, lessee or keeper such facts regarding himself as are required to be incorporated in the sworn report herein provided for. Such report and affidavit shall be filed personally by the landlord, proprietor, lessee or keeper with the superintendent at his office.

Filed personally.

Violation a misdemeanor.

Any such landlord, proprietor, lessee or keeper or any lodger who shall violate this section shall be deemed guilty of a misdemeanor.

C. 19:32-34.
Empowered to seize and seal ballot boxes.

9. The superintendent, his chief deputy or assistants, shall have the power, when in his or their judgment it is deemed necessary at any election, upon the completion of the counting and canvassing of the ballots by any district board, to enter any place containing ballot boxes for the purpose of taking possession and sealing any ballot box or boxes with a seal to be adopted by the superintendent. When any ballot box shall be so sealed it may be removed to a vault or other place of security by the superintendent, his chief deputy or assistants, but shall not be opened and the seal thereof destroyed or affected without an order first had and obtained from a justice of the Supreme Court. Taping or any other mechanical device may be used to make such sealing secure.

C. 19:32-35.
Penalty for interference.

10. Any person preventing, hindering or interfering with the said superintendent or his chief deputy or assistants in sealing such ballot box or boxes shall be guilty of a misdemeanor, and shall be punished by imprisonment for a term not exceeding three years, or by the payment of a fine not exceeding one thousand dollars (\$1,000.00), or both.

11. Any person who destroys, defaces or removes, or attempts to destroy, deface or remove, such a seal shall be guilty of a misdemeanor, and shall be punished by imprisonment for a term not exceeding three years, or by the payment of a fine not exceeding one thousand dollars (\$1,000.00), or both.

C. 19:32-36.
Penalty for
removal
of seal.

12. The powers herein granted may be exercised by the superintendent, his chief deputy or assistants, upon the completion of the counting and canvassing of the ballots at any election by the district board or within a period of ninety days thereafter.

C. 19:32-37.
Who may
exercise
powers.

13. The superintendent shall investigate all registry lists prior to the holding of any election. When as a result of such investigation or during the course thereof the superintendent shall ascertain that a person registered has died or been disqualified by conviction of a crime which would disfranchise a person under the laws of this State, or never has resided at the place of registry or is registered from some place other than his actual residence or does not possess the qualifications to vote required by the constitution of this State or is otherwise not entitled to vote at such election, the superintendent shall serve an order in writing, signed by him, upon the proper district board, ordering it to refuse to allow such person to vote at the election.

C. 19:32-38.
Investigate
registry lists.

Order barring
right to vote.

No such order shall be signed by the superintendent unless notice to the person to be affected shall be given as hereinafter provided.

Notice to
person affected.

14. 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 reg-

C. 19:32-39.
Notice of
proposed
action.

List published in advance. istered place of residence at least two entire days before the issuance of the order. The superintendent also shall cause a list of the names of such persons, with their registry addresses, to be published at least two entire days before the issuance of the order in two or more newspapers published within the county, at least one of which shall be a daily newspaper.

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

C. 19:32-40. Order delivered to board. 15. The superintendent shall cause such order to be delivered to the district board at the same time as the challenge lists are delivered, which order shall be receipted for by the judge of the district board, who shall use the order in conjunction with the registry list, so that no person whose name appears upon the order shall be allowed to vote. Such order shall be signed and certified to by each member of the district board to the effect that no person whose name appears therein has been allowed to vote. The order shall be returned to the superintendent at the same time and together with the challenge lists.

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

C. 19:32-41. Application to judge. 16. Any person affected by the action of the superintendent shall during the week immediately preceding the election and on the election day have the right to make application to a judge of the

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.

Burden of proof.

The judge of the court of common pleas, if satisfied that the applicant is entitled under the law to vote at such election and after determining the election district in which the person actually resides may issue an order directing the district board of that district to permit such person to vote. If the 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.

Order to permit to vote.

Name restored to permanent registration.

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.

Record of proceedings.

17. Any member of a district board who, after the receipt of an order from the superintendent denying any person the right to vote, unless the order of the superintendent has been revoked by a judge of the 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.

C. 19:32-42.
Penalty for allowing to vote.

18. Any expenses in connection with the service, mailing or advertising of the notices as herein-

C. 19:32-43.
Expenses paid by county treasurer.

before provided shall be paid by the county treasurer, upon certification by the superintendent.

C. 19:32-44.
Peace officers'
powers.

19. The superintendent and his chief deputy and assistants shall have and possess all the powers of constables, policemen and other peace officers.

C. 19:32-45.
Arrest without
warrant.

20. The superintendent and his chief deputy and assistants are hereby authorized and empowered and without warrant, to arrest any person violating any provision of this Title.

Peace officers
to furnish aid.

The superintendent and his chief deputy and assistants, as the case may be, shall have the right and power to call upon any constable, police officer or other peace officer to aid in taking any person so arrested to the nearest police station in the municipality in which the arrest is made, and such constable, police officer or other peace officer shall render such aid.

Misdemeanor.

Any constable, police officer or other peace officer failing to comply with such request shall be guilty of a misdemeanor.

C. 19:32-46.
Detention.

21. Upon delivering the person so arrested to the officer in charge of the police station to which he is removed, such officer shall hold and detain the person so arrested until ordered released by the magistrate taking the complaint hereinafter provided for or by other process of law.

C. 19:32-47.
To sign
complaint.

22. Upon delivering the person so arrested to the officer in charge of such police station the superintendent or his chief deputy and assistants, as the case may be, making the arrest, shall forthwith and as soon as may be make and sign before a magistrate of the municipality in which the arrest was made a complaint in writing, duly verified, setting forth the particular act for which such person was arrested. Upon the complaint being made, the magistrate before whom it is made shall forthwith and as soon as may be cause the person so arrested to be brought before him and proceed on such complaint, as in the case of other persons arrested on a complaint charging a criminal offense.

23. The superintendent, his chief deputy and assistants are hereby authorized and empowered to remove from any polling place or place where any election is being held any person found violating any provision of this Title or in any way unlawfully interfering with the lawful conduct of any election.

C. 19:32-48.
Removal of
persons from
polling places.

24. In addition to the foregoing, said superintendent of elections hereby is constituted the commissioner of registration for said county and he shall, within the county, have and exercise all the powers of, and be charged with all the duties had and exercised and required to be performed by, the superintendent of elections and the commissioner of registration in any county, including the custody and control of voting machines heretofore or hereafter installed in the county in any manner provided by law, except those heretofore or hereafter installed in any municipality by the governing body thereof, which shall be placed and remain in the custody of the municipal clerk unless taken over the county according to law.

C. 19:32-49.
Constituted
commissioner
of registration.

25. If during the fiscal year in which this act becomes effective, the board of chosen freeholders of the county shall not have made provision in its annual budget for the payment of the salaries and other expenses of the superintendent of elections and his office during such fiscal year, all appropriations made in said budget to the county board of elections, except those made for the payment of the salaries of the members of said board and the expenses of the board in connection with the functions to be performed by it during said year, notwithstanding the provisions of this act, shall be transferred and made available to the superintendent of elections for the carrying out of the powers and functions vested in him under this act, which shall include all appropriations for (a) salaries and wages, except for the salaries of the members of the board, (b) the control and conduct of permanent registration, and (c) the custody, maintenance and distribution of voting machines.

C. 19:32-50.
Transfer of
appropriations.

C. 19:32-51.
Employees
transferred.

26. All employees of the county board of elections of the county hereby are transferred to the office of superintendent of elections but the board of chosen freeholders may provide two clerks for the county board of elections and fix the salary to be paid to such clerks.

C. 19:32-52.
Additional
appropriation.

27. In the event that said appropriations shall not be sufficient to provide full payment of the salaries and other expenses of the superintendent of elections and his office and of the county board of elections and its office, during such fiscal year, the board of chosen freeholders shall appropriate and use any county funds, not otherwise appropriated or dedicated, for such purposes.

C. 19:32-53.
Equipment
turned over to
superintendent.

28. Upon the taking effect of such resolution the county board of elections of the county shall turn over to the superintendent of elections all voting machines of the county with the keys thereto, and all records, books, binders, folders, files, card indexes, documents and forms, used or unused, relating to or used or useful in connection with the registration of voters, or the use of voting machines, in the county, together with all racks, cabinets, furniture, equipment and supplies used or useful for the filing, storing, repair servicing or use of the same.

29. This act shall take effect immediately.

Approved May 20, 1947.

CHAPTER 168

AN ACT concerning elections, and amending sections 19:1-1, 19:9-2, 19:14-21, 19:14-23, 19:14-25, 19:17-3, 19:18-1, 19:23-30, 19:23-32, 19:23-33, 19:23-34, 19:23-35, 19:23-36, 19:23-53, 19:27-14, 19:30-2, 19:31-2, 19:31-6, 19:31-15, 19:31-16, 19:31-17, 19:31-20, 19:45-7, 19:48-4 and 19:48-6 of the Revised Statutes, "An act concerning elections, providing for the use of voting machines in first- and second-class counties, making an appropriation to the State House Commission, and supplementing chapter forty-eight of Title 19 of the Revised Statutes," approved February ninth, one thousand nine hundred and forty-four (P. L. 1944, c. 7), and "An act concerning municipal elections in certain municipalities, and supplementing 'An act concerning elections, providing for the use of voting machines in first- and second-class counties, making an appropriation to the State House Commission, and supplementing chapter forty-eight of Title 19 of the Revised Statutes,' approved February ninth, one thousand nine hundred and forty-four (P. L. 1944, c. 7)," approved March thirty-first, one thousand nine hundred and forty-five (P. L. 1945, c. 59).

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

1. Section 19:1-1 of the Revised Statutes is amended to read as follows: Section amended.

19:1-1. As used in this Title:

Terms defined:

"Election" means the procedure whereby the electors of this State or any political subdivision Election;

thereof elect persons to fill public office or pass on public questions.

General election;

“General election” means the annual election at which members of the General Assembly are voted for.

Primary election;

“Primary election” means the procedure whereby the members of a political party in this State or any political subdivision thereof nominate candidates to be voted for at elections, or elect persons to fill party offices, or delegates and alternates to national conventions.

Municipal election;

“Municipal election” means an election to be held in and for a single municipality only, at regular intervals.

Special election;

“Special election” means an election which is not provided for by law to be held at stated intervals.

Any election;

“Any election” includes all primary, general, municipal and special elections, as defined herein.

Municipality;

“Municipality” includes any city, town, borough, village or township.

Public office;

“Public office” includes any office in the government of this State or any of its political subdivisions filled at elections by the electors of the State or political subdivision.

Public question;

“Public question” includes any question, proposition or referendum required by the legislative or governing body of this State or any of its political subdivisions to be submitted by referendum procedure to the voters of the State or political subdivision for decision at elections.

Political party;

“Political party” means a party which, at the election for members of the General Assembly next preceding the holding of any primary election held pursuant to this Title, polled for members of the General Assembly at least ten per centum (10%) of the total vote cast in this State.

Party office.

“Party office” means the office of delegate or alternate to the national convention of a political party or member of the State, county or municipal committees of a political party.

"Masculine" includes the feminine, and the masculine pronoun wherever used in this Title shall be construed to include the feminine. Masculine;

"Presidential year" means the year in which electors of President and Vice-President of the United States are voted for at the general election. Presidential year;

"Election district" means the territory within which or for which there is a polling place or room for all voters in the territory to cast their ballots at any election. Election district;

"District board" means the district board of registry and election in an election district. District board;

"County board" means the county board of elections in a county. County board;

"Superintendent" means the superintendent of elections in counties wherein the same shall have been appointed. Superintendent;

"Commissioner" means the commissioner of registration in counties having municipalities having permanent registration. Commissioner;

"Municipalities having permanent registration" means municipalities coming within the provisions of chapter thirty-one of this Title (section 19:31-1 et seq.), in which municipalities permanent registration of voters is required. Municipalities having permanent registration;

"Municipalities not having permanent registration" means all municipalities other than those last above defined. Municipalities not having permanent registration.

2. Section 19:9-2 of the Revised Statutes, is amended to read as follows: Section amended.

19:9-2. The Secretary of State shall prepare and distribute on or before the first day of May in each year prior to the primary election for the general election and the general election the following information and election supplies: pamphlets of the election laws and instructions; precinct returns; electors of President and Vice-President; United States Senator; member of the House of Representatives; Governor; State Senator; assembly and county officers; justice of the peace; public question submitted to the voters of the entire State; self-addressed envelopes, plain and stamped, Secretary of State to prepare and distribute supplies.

to each district; returns for the county board of canvassers for the above officers; primary return sheets.

Supplies
furnished by
county clerk.

All other books, ballots, envelopes and other blank forms which the county clerk is required to furnish under any other section of this Title, stationery and supplies for the primary election for the general election, the primary election for delegates and alternates to national conventions and the general election, shall be furnished, prepared and distributed by the clerks of the various counties; except that all books, blank forms, stationery and supplies, articles and equipment which may be deemed necessary to be furnished, used or issued by the county board or superintendent shall be furnished, used or issued, prepared and distributed by such county board or superintendent, as the case may be.

Map showing
district lines.

The county board in counties having a superintendent of elections shall furnish and deliver to the county clerk, the municipal clerks and the district boards in municipalities having more than one election district, a map or description of the district lines of their respective election districts, together with the street and house numbers where possible in such election districts. In counties not having a superintendent of elections the municipal clerks shall furnish and deliver such map or description of district lines to the county clerk, the county board and the district board in municipalities having more than one election district.

Construing.

Nothing in subtitle two of the Title Municipalities and Counties (section 40:16-1, et seq.) shall in anywise be construed to affect, restrict, or abridge the powers conferred on the county clerks, county boards or superintendents by this Title.

Section
amended.

3. Section 19:14-21 of the Revised Statutes is amended to read as follows:

Sample ballots,
preparation
and delivery.

19:14-21. The county clerk shall cause samples of the official general election ballot to be printed.

a. In counties not having a superintendent of elections where the county board of elections does

not have the equipment or facilities to address and mail sample ballot envelopes, the county clerk 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-tenth 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 stamped envelopes delivered by the county clerk and the date and hour of their delivery.

b. In counties having a superintendent of elections, and in other counties where the county board of elections may have the equipment or facilities to prepare a properly stamped envelope addressed to each registered voter in the county for mailing, 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. County boards of elections which elect to operate under the provisions of this paragraph shall notify their county clerk in sufficient time to enable him to make the necessary arrangements the first year.

c. The county clerk in counties having a superintendent of elections 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.

4. Section 19:14-23 of the Revised Statutes is amended to read as follows:

Envelopes for
sample ballots.

19:14-23. The stamped envelopes shall be of sufficient size and have sufficient postage to enable the official general election sample ballots and anything else required to be enclosed therewith to be mailed therein.

On the face of each of the envelopes shall be printed the words "Official General Election Sample Ballot" in large type and in small type in the upper left-hand corner, the words: "If not delivered in two days return to the 'Superintendent of Elections' " in counties having a superintendent of elections and to the "Commissioner of Registration" in all other counties and in the lower left-hand corner shall be printed the words "Municipality" followed by a line ".....," "Ward" followed by a line ".....," and "district" followed by a line ".....," arranged in three lines one under the other.

Section
amended.

5. Section 19:14-25 of the Revised Statutes is amended to read as follows:

Mailing by
district boards.

19:14-25. In counties not having a superintendent of elections where the county board of elections does not have the equipment or facilities to address and mail sample ballot envelopes, 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.

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 majority of the board that all the remainder of such ballots and envelopes had been mailed.

Unused ballots
and envelopes.

In counties having a superintendent of elections, and in other counties where the county board of elections shall elect to operate under the provisions of subsection b of section 19:14-21 of this Title, 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.

Mailing by
commissioner.

The county board of elections, in all counties having a superintendent of elections, and in other counties where the county board of elections shall elect to operate under the provisions of subsection b of section 19:14-21 of this Title, 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.

Sample ballots
mailed to
district boards.

6. Section 19:17-3 of the Revised Statutes is amended to read as follows:

Section
amended.

19:17-3. After the district board shall have made up and certified such statements, it shall at the same time and with the ballot boxes, as hereinafter provided, deliver or safely transmit one of the statements to the clerk of the municipality wherein such election is held, who shall forthwith

Statements
filed.

file the same. In counties having a superintendent of elections one of such statements shall forthwith be filed with the superintendent of elections of the county. The superintendent may arrange to accept such certificates in such municipality within the county at the office of the clerk of such municipality or some other convenient place. Any municipal clerk who shall refuse to permit such superintendent or his deputies or assistants access to his office for the purpose of collecting such certificates or any municipal clerk or other person who shall interfere or obstruct the superintendent, his deputies or assistants in the collection of such certificates, or any member of a district board who shall willfully fail or refuse to deliver such statement to the superintendent, his deputies or assistants as the case may be, shall be guilty of a misdemeanor. In all counties the board shall, immediately after election, deliver or safely transmit another of the statements to the clerk of the county, who shall forthwith file the same.

If officers were voted for or public questions were voted upon at the election by the voters of the entire State or of more than one county thereof, or of a congressional district, then the board shall, immediately after the election, inclose, seal up and transmit the fourth statement to the Secretary of State by mail in stamped envelopes to be furnished by the Secretary of State, addressing the same in the following manner: "To the Secretary of State of New Jersey, Trenton, New Jersey." In each year in which the board is required by this section to transmit a statement to the Secretary of State the statement required by section 19:17-4 of this Title shall be inclosed in the same envelope and forwarded therewith. If no statement hereunder be required to be so transmitted in any year then the statement required by said section 19:17-4 shall be transmitted by the board in an envelope addressed as above provided. Upon receiving such statements the Secretary of State shall forthwith file the same in his office.

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

19:18-1. As soon as the election shall be finished and the votes canvassed and the statements made and certified by the district board as herein required, all ballots which have been cast, whether the same have been canvassed and counted or rejected for any cause, and one tally sheet, spoiled and unused ballots, shall be carefully collected and deposited in the ballot box.

In all municipalities the signature copy registers shall not be placed in the ballot box but shall be delivered immediately by the district board to the commissioner of registration.

In order to carry out his duties, any superintendent of elections in counties having a superintendent of elections shall have access and be permitted to inspect and examine any and all signature copy registers for said county for any election which may have been or shall be held in said county and any official or person having possession or custody of same who shall refuse to deliver said signature copy registers to the office of said superintendent of elections forthwith upon demand having been made upon him by said superintendent of elections as aforesaid shall be adjudged a disorderly person and unless the said official having custody or possession of said signature copy registers shall forthwith produce the same at the office of the superintendent of elections when demanded by him so to do, the said superintendent of elections may apply to 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 signature copy registers 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.

Section amended.

Election records placed in ballot box.

Inspection of signature copy registers.

Section
amended.

8. Section 19:23-30 of the Revised Statutes is amended to read as follows:

Municipal clerk
to prepare
sample ballots.

19:23-30. a. In counties not having a superintendent of elections where the county board of elections does not have the equipment or facilities to address and mail sample ballot envelopes, 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 having a superintendent of elections 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.

Stamped
envelopes,
preparation.

b. In counties having a superintendent of elections, and in other counties where the county board of elections may have the equipment or facilities to prepare a properly stamped envelope addressed to each registered voter in the county for mailing, 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. 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. The cost of printing of the official primary sample ballots and stamped envelopes therefor shall be paid for by the respective municipalities. County boards of elections which elect to operate under the provisions of this para-

graph shall notify their respective municipal clerks in sufficient time to enable them to make the necessary arrangements the first year.

9. Section 19:23-32 of the Revised Statutes is amended to read as follows: Section amended.

19:23-32. Each of such envelopes shall have printed on the face thereof, in large type, the words, "Official Primary Sample Ballot," and in smaller type, in the upper left-hand corner, the words, "If not delivered in two days return to the superintendent of elections" in counties having a superintendent of elections, to the "Commissioner of Registration" in other counties and in the lower left-hand corner shall be printed the words "Municipality" followed by a line "....." "Ward" followed by a line "....." and "District" followed by a line "....." arranged in three lines one under the other. Words on return envelope.

10. Section 19:23-33 of the Revised Statutes is amended to read as follows: Section amended.

19:23-33. In counties not having a superintendent of elections where the county board of elections does not have the equipment or facilities to address and mail sample ballot envelopes, 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. Sample ballots and envelopes furnished.

In counties having a superintendent of elections, and in other counties where the county board of elections shall elect to operate under the provisions of subsection b of section 19:23-30 of this Title, 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.

Section
amended.

11. Section 19:23-34 of the Revised Statutes is amended to read as follows:

Mailing
sample ballots.

19:23-34. Each of such district boards, in counties not having a superintendent of elections where the county board of elections does not have the equipment or facilities to address and mail sample ballot envelopes, and the commissioner of registration in all other counties, 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.

Section
amended.

12. Section 19:23-35 of the Revised Statutes is amended to read as follows:

Posting
sample ballots.

19:23-35. In counties not having a superintendent of elections, where the county board of elections does not have the equipment or facilities to address and mail sample ballot envelopes, such district board shall also post the sample ballot in the polling place in its district and five other places therein.

The county board of elections in all counties of the first class, and in other counties where the county board of elections shall elect to operate under the provisions of subsection b of section 19:23-30 of this Title, 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.

13. Section 19:23-36 of the Revised Statutes is amended to read as follows:

Section
amended.

19:23-36. In counties not having a superintendent of elections where the county board of elections does not have the equipment or facilities to mail sample ballot envelopes, 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.

Unused
sample ballots
and envelopes
returned.

In counties having a superintendent of elections, and in other counties where the county board of elections shall elect to operate under the provisions of subsection b of section 19:23-30 of this Title, the commissioner of registration shall return to the municipal clerk the unused sample ballots and stamped envelopes with a sworn statement to the effect that the remainder of the sample ballots and envelopes were actually mailed or posted as herein provided.

14. Section 19:23-53 of the Revised Statutes is amended to read as follows:

Section
amended.

19:23-53. The district board shall immediately deliver or transmit this statement to the clerks of the county and municipality within which such primary election was held. In counties having a superintendent of elections one of such statements shall forthwith be filed with the superintendent of elections of the county. The superintendent may arrange to accept such certificates in each municipality within the county at the office of the clerk of such municipality or some other convenient place. Any municipal clerk who shall refuse to permit such superintendent or his deputies or as-

Statement
transmitted.

sistants access to his office for the purpose of collecting such certificates or any municipal clerk or other person who shall interfere or obstruct the superintendent, his deputies or assistants in the collection of such certificates, or any member of a district board who shall willfully fail or refuse to deliver such statement to the superintendent, his deputies or assistants as the case may be, shall be guilty of a misdemeanor.

Section
amended.

15. Section 19:27-14 of the Revised Statutes is amended to read as follows:

Delivery of
signature
copy register.

19:27-14. In each municipality in counties not having a superintendent of elections, the commissioner shall deliver to the clerk of the municipality in which the special election is to be held, at least thirty days prior thereto, the signature copy registers. The municipal clerk shall deliver such signature copy registers and also the registers of voters to the several district boards in time to be used at the special election.

In counties having a superintendent of elections the commissioner shall deliver the signature copy registers at his office or in any other way he may see fit, and the municipal clerks shall deliver the registers of voters to the several district boards, in time to be used at the special election.

Registers
returned.

At the close of the special election the district boards shall return such registers as provided in the case of a general election.

Section
amended.

16. Section 19:30-2 of the Revised Statutes is amended to read as follows:

Printing and
distribution.

19:30-2. The county clerk in counties having a superintendent of elections shall forthwith and the county clerk in all other counties may cause copies of such registry lists to be printed in handbill form, and shall furnish to any voter applying for the same such copies, charging therefor twenty-five cents (\$0.25) per copy. He shall also furnish five printed copies thereof to each district board, which shall within two days post two such registry lists, one in the polling place and one in another conspicuous place within the election district. The

county clerk shall also forthwith deliver to the chief of police and the municipal clerk of each of the municipalities in the county for which the lists have been printed, five copies of the lists of voters of each election district in such municipalities, and to the county board ten copies of the lists of voters of each election district in each of such municipalities. The county clerk shall also forthwith deliver to the chairman of the State committee and to the chairman of the county committee, of the several political parties, five copies of the lists of voters of each election district in each of the municipalities in his county.

The chief of police shall cause an investigation to be made of the names of the persons so appearing on such lists, to ascertain if such persons are residents of the houses from which they are registered, and shall, not later than five days after the receipt thereof from the county clerk, forward the various reports of such investigations, certified by the chief of police, to the county board in counties not having a superintendent of elections, and to the superintendents in counties having a superintendent of elections, where they shall be kept open to public inspection and preserved for three years. Investigation.

The county clerk, after causing copies of such registry lists to be printed, shall file the original registry lists in his office and keep same on file for one year. Original lists filed.

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

19:31-2. In all counties having a superintendent of elections, the superintendent of elections is hereby constituted the commissioner of registration and in all other counties the secretary of the county board is hereby constituted the commissioner of registration. Constituted commissioners of registration.

The commissioner of registration in all counties having a superintendent of elections, and the county board in all other counties, shall have complete charge of the permanent registration of all eligible voters within their respective counties. Duties.

Appoint
temporary
employees.

The commissioner of registration in counties having a superintendent of elections, 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.

Equipment
and supplies.

The commissioner of registration in counties having a superintendent of elections, and the county board in all other counties, shall provide such printed forms, blanks, supplies and office telephone and transportation equipment and shall prescribe such reasonable rules and regulations as are necessary in the opinion of the commissioner or county board to carry out the provisions of this Title and any amendments or supplements thereto.

Expenses.

All necessary expenses incurred, as and when certified and approved by the commissioner of registration in counties having a superintendent of elections, and by the county board in all other counties, shall be paid by the county treasurer of the county; *provided, however*, that all expenses of every nature in the office of the commissioner of registration in counties of the first class, exclusive of county board expenses, shall not exceed the sum of 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.

Construing.

Nothing in the provisions of subtitle two of the Title, Municipalities and Counties (40:16-1 et seq.), shall in anywise be construed to affect, restrict or abridge the powers herein conferred on the commissioners in counties having a superintendent of elections, and upon the county boards in all other counties.

Powers
conferred.

All powers granted to the commissioner in all counties not having superintendent of elections 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 not having a superintendent of elections by the provisions of this Title shall only be exercised and performed by such commissioner under the instructions and directions of and subject to the approval of the county board of such counties.

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

19:31-6. In counties having a superintendent of elections, the members of the county board may, and the commissioner or a duly authorized clerk or clerks acting for him shall, up to and including the fortieth day preceding any election, and in counties not having a superintendent of elections up to and including the fortieth day preceding any election, and after any such election, receive the application for registration of all eligible voters who shall personally appear for registration during office hours, at the office of the commissioner or at such other place or places as may from time to time be designated by him for registration, and who have the qualifications as herein provided. Any eligible voter who applies for registration shall subscribe to the following oath or affirmation, viz.: Place of registration.

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

Upon being sworn the applicant shall answer such questions as are provided for in the original and duplicate permanent registration forms hereinbefore set forth, and the person receiving the application shall fill out the forms which the applicant shall sign. If an eligible voter is unable to write his name, he shall be required to make a cross, which shall be followed by the writing of the words “his or her mark,” as the case may be, by the person receiving the application, and such ap-

plicant shall answer the additional questions required under this Title. Such additional questions shall be sworn to or affirmed in the manner above provided. Registration by mail is specifically prohibited.

Section
amended.

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

Prevention of
fraudulent
voting.

19:31-15. For the purpose of preventing fraudulent voting and of eliminating names improperly registered, the commissioner in counties having a superintendent of elections, and the county board in all other counties, shall within ninety days after each general election preceding the general election at which members of the House of Representatives are elected send by government reply postal card to each registrant who failed to vote at such election, at his registered address, a notice substantially as follows:

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

.....
Commissioner of Registration.”

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

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

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

Signed”

Personal
investigation.

The county board in counties not having a superintendent of elections, may also, and in addition to the method hereinbefore provided, direct at any time an authorized clerk or clerks to make any personal investigation which the commissioner or county board may deem necessary to establish the

fact of continued residence or of removal of any registrant.

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

Periodic investigation of entire list.

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

Transfer of record.

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

Place in inactive file upon removal from county or State.

In case of registrants so found to have died, been disqualified or improperly registered, the county board in counties not having a superintendent of elections shall cause the permanent registration forms of such persons to be transferred to the inactive or death file as the case may be.

Forms transferred to death file.

The county board in counties not having a superintendent of elections before removing, for any rea-

Publication of notice.

Contents
of notice.

Reasons
specified.

Application
for order
to vote.

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

Any person affected by any action of the county board in counties not having a superintendent of elections, shall, during the two weeks immediately preceding any election and on election day, have the right to make application to any judge of the 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 inability of the district board or of the commissioner

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

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

Form transferred to inactive file upon conviction of crime.

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

Order refusing voting privilege.

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

Notice to person affected

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

Notice not
required.

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

Delivery
of order.

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

commissioner shall thereupon transfer the permanent registration forms of the person named in such order to the inactive, death or conviction file, as the case may be, and he shall not be permitted to vote at any subsequent election, by court order or otherwise, unless he has reregistered.

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

Application
to vote.

Record of
proceedings.

plication to be taken stenographically, transcribed and filed in the office of the county clerk of the county, which record shall be open and public record. All costs and expense of such proceedings shall be paid by the county.

Name not
transferred
unless
published.

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

Misdemeanor.

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

Section
amended.

20. Section 19:31-16 of the Revised Statutes is amended to read as follows:

Data filed by
health officer.

19:31-16. The health officer or other officer in charge of records of death in each municipality shall file with the commissioner in counties not having a superintendent of elections and with the superintendent in counties having a superintendent of elections once each month, during the first five days thereof, the age, date of death, and the names and addresses of all persons over twenty-one years of age who have died within such municipality during the previous month. Upon receipt of such list the commissioner or superintendent, as the case may be, shall make such investigation as is necessary to establish to his satisfaction that such deceased person is actually the same person who is permanently registered. If such fact is so established, the commissioner shall cause the permanent registration and record of voting forms of the de-

ceased registrant to be transferred to the death file. In counties having a superintendent of elections the superintendent shall certify to the commissioner such fact forthwith, including the address, municipality, ward and district of the deceased registrant, and the commissioner shall cause the permanent registration and record of voting forms of the deceased registrant to be transferred to the death file.

21. Section 19:31-17 of the Revised Statutes is amended to read as follows: Section amended.

19:31-17. Once each month during the first five days thereof the prosecutor of the pleas shall deliver to the commissioner in counties not having a superintendent of elections and to the superintendent in counties having a superintendent of elections a list of the names and addresses of all persons and their ages and offenses who have been convicted during the previous month of a crime which would disfranchise them under the laws of this State. Upon the receipt of the list the commissioner or superintendent, as the case may be, shall make such investigation as is necessary to establish to his satisfaction that the convicted person is actually the same person who is permanently registered. If it is so established, the commissioner shall cause the permanent registration and record of voting forms of such convicted registrant to be transferred to the conviction file. In counties having a superintendent of elections, the superintendent shall certify to the commissioner such fact forthwith, including the address, municipality, ward and district of the convicted registrant and the commissioner shall cause the permanent registration and record of voting forms of the convicted registrant to be transferred to the inactive file. Such persons upon the restoration of their citizenship rights or upon being pardoned shall be required to reregister before being allowed to vote. Data filed by prosecutor.

Section
amended.

22. Section 19:31-20 of the Revised Statutes is amended to read as follows:

Signature
copy registers
delivered to
district boards.

19:31-20. On or before the second Monday preceding the primary election for the general election and the general election, respectively, the commissioner in counties not having a superintendent of elections, shall deliver to the municipal clerk in each municipality the signature copy registers for each election district in such municipality and shall take a receipt for same. The municipal clerk shall thereupon deliver at his office, or in any other way he sees fit, such registers to a member or members of the proper district boards at the same time and together with the primary for the general election sample ballots or the general election sample ballots, as the case may be. The registers shall be used by the district boards on election days and for the purpose of mailing the sample ballots. The commissioner in counties having a superintendent of elections shall deliver such registers at his office, or in any other way he may see fit, to the various district boards, taking a receipt for same.

Instructions.

Before delivering the registers the commissioner shall cause to be printed upon a separate sheet or sheets of paper, to be inserted inside of the front cover of such registers in conspicuous type, such instructions to election officers regarding the use and disposition of the binders and forms as he deems necessary.

Section
amended.

23. Section 19:45-7 of the Revised Statutes is amended to read as follows:

Compensation
of county
boards.

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 one hundred seventy-five thousand, two thousand dollars (\$2,000.00) per annum; in counties having a population of not more than one hundred seventy-five thousand or less than one hundred fifty thousand, eighteen hundred dollars

(\$1,800.00) per annum; in counties having a population of not more than one hundred fifty thousand or less than one hundred fifteen thousand, twelve hundred dollars (\$1,200.00) per annum; in counties having a population of not more than one hundred fifteen thousand or less than ninety thousand, one thousand dollars (\$1,000.00) per annum; in counties having a population of not more than ninety thousand or less than forty-eight thousand, nine hundred dollars (\$900.00) per annum; in counties having a population of not more than forty-eight thousand, six hundred dollars (\$600.00) 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 one-half of the compensation of the individual members of the board.

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 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 concern-

Compensation
of clerks.

Proviso.

ing 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.

Compensation
of commis-
sioners 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 the commissioner of registration in a county of the second class having a superintendent of elections shall receive one thousand dollars (\$1,000.00) per annum for services performed as such commissioner of registration, and for such services performed by a commissioner of registration in a county not having a superintendent of elections 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.

Full time
defined.

Section
amended.

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

Custody and
care of
machines.

19:48-4. Voting machines, heretofore or hereafter installed in any manner provided by law, in any county not having a superintendent of elections, shall be placed, and remain, in the custody of the county board of elections, and voting machines, heretofore or hereafter installed in any manner provided by law, in any county having a

superintendent of elections, shall be placed, and remain, in the custody of the superintendent of elections; except that voting machines, heretofore or hereafter installed in any municipality by the governing body thereof, in any manner provided by law, shall be placed, and remain, in the custody of the municipal clerk unless taken over by the county according to law.

The county board of elections or the superintendent of elections or the municipal clerk, as the case may be, shall preserve and keep in repair all voting machines placed in its or his custody pursuant to the provisions of this section.

25. Section 19:48-6 of the Revised Statutes is amended to read as follows: Section amended.

19:48-6. The county board of elections or the superintendent of elections or the municipal clerk, as the case may be, having custody of voting machines, shall have the machine or machines and all necessary furniture and appliances at the proper polling place or places before the time fixed for opening the polls, and the counters set at zero (000), and otherwise in good and proper order for use at such election. For the purpose of placing ballots in the ballot frames of the machines; putting in order, setting, testing, adjusting and delivering the machines, such county board of elections or such superintendent of elections or such municipal clerk, as the case may be, may employ or appoint one or more fully competent persons to be known as custodian or custodians of voting machines, who shall be thoroughly instructed in their duties by such county board of elections or such superintendent of elections or such municipal clerk, as the case may be, and shall be sworn to perform their duties honestly and faithfully. Such custodians shall be employed or appointed and instructed at least thirty days before the election and shall be considered as officers of elections; *provided, however*, that for the purpose aforesaid in counties having a superintendent of elections, the superintendent of elections may employ or appoint, in addition Duties of officials concerning machines.

Proviso.

to one or more custodian or custodians, other fully competent persons and may classify them, assign their duties, and fix their compensation according to the particular duties assigned them, which said persons shall also be employed or appointed, and thoroughly instructed and sworn to perform their duties honestly and faithfully, at least thirty days before the election and shall likewise be considered as officers of election.

Notice required
concerning
preparation
of machines.

Before preparing a voting machine for any election, written notice shall be mailed by such board of elections or such superintendent of elections or such municipal clerk, as the case may be, to the chairman of the county committee of at least two of the principal political parties, stating the time and place where the machines will be prepared, at which time one representative of each such political party shall be afforded an opportunity to see that the machines are in proper condition for use in the election; such representatives shall be sworn to faithfully perform their duties and shall be regarded as election officials, but shall not interfere with the custodian or custodians or other persons employed or appointed as aforesaid or assume any of his or their duties. When a machine has been so examined by such representatives it shall be sealed with a numbered metal seal. Such representatives shall certify, upon a form to be provided by such county board of elections or such superintendent of elections or such municipal clerk, as the case may be, as to the numbers of the machines, that all of the counters are set at zero (000), and as to the number registered on the protective counter, if one is provided, and on the seal. Such certificate shall be filed by them with such county board of elections or such superintendent of elections or such municipal clerk, as the case may be. When a voting machine has been properly prepared for the election, it shall be locked against voting and sealed; and the keys thereof shall be delivered to such county board of elections or such superintendent of elections or such municipal clerk,

as the case may be, together with a written report made by a custodian stating that it is in every way properly prepared for the election.

After the voting machines shall be delivered to the polling places, the governing body of the municipality, wherein such polling places are located, shall provide ample police protection against molestation, or tampering or damage to the machines. Every voting machine shall be furnished with a lantern, or an electric light fixture, which shall give sufficient light to enable voters while voting to read the ballots and be suitable for use by the district board in examining the counters. The lantern or electric light fixture shall be prepared in good order by such county board of elections or such superintendent of elections or such municipal clerk, as the case may be, for use before the opening of the polls.

Police
protection.

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

Section
amended.

5. All voting machines purchased by the State House Commission pursuant to this act shall be delivered to the superintendent of elections in counties having a superintendent of elections and to the county board of elections in each county of the second class. If the State House Commission is unable at its first purchase to purchase sufficient voting machines to meet the requirements of this act, it shall determine in its discretion the county or counties to which the voting machines purchased are to be delivered and the machines shall be delivered as required by such determination, and as further purchases are made the same procedure shall be followed.

C. 19:48-3.7.
Delivery of
machines.

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

Section
amended.

9. When voting machines are delivered to any county pursuant to the provisions of this act and they are insufficient to provide voting machines for use in all election districts of said county, such

C. 19:48-3.11.
Voting
machines
installed.

voting machines shall be installed and used in such municipalities of said county and in such wards thereof as, in counties having a superintendent of elections, the superintendent of elections shall designate and as, in counties of the second class, not having a superintendent of elections the commissioner of registration shall designate, giving preference to municipalities in the descending order of population measured by the last Federal census and, in any municipality, giving preference to the several wards thereof according to the same standard.

Section
amended.

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

C. 19:48-3.13.
Ballots.

11. No ballots other than ballots required for use in voting machines shall be prepared or used at any election in any election district in any such county for which voting machines are available, and which has been designated by the superintendent of elections of the county if any there be or by the commissioner of registration of the county if a county of the second class, having any superintendent of elections, under the provisions of this act, as an election district in which voting machines shall be used.

Section
amended.

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

C. 19:48-3.17.
Machines
not in all
districts.

3. In any case in which voting machines have been so installed for use in part of, but not in all of, the election districts of any municipality in any county of the first or second class, thereby preventing the holding of any such municipal election in such municipality with the use of voting machines in all election districts, in accordance with the provisions of law relating to elections where voting machines are used, the superintendent of elections of any such county having a superintendent of elections or the county board of elections of any such county of the second class, if there be no superintendent of elections, as the case may be,

may rent from any other county or counties in which voting machines have been installed under any law other than the act to which this act is a supplement, as many voting machines and any pertinent equipment as, in his or its judgment, shall be necessary to carry out the purpose of this act by providing voting machines for use in all of such election districts in such municipality at any municipal election to be held therein; *provided, however,* that all voting machines so rented shall conform substantially to the type of voting machines already installed for use in such municipality.

May rent
machines.

Proviso.

30. This act shall take effect immediately.
Approved May 20, 1947.

CHAPTER 169

AN ACT to amend "An act to require and provide for the issuing of licenses and permits to persons, firms and corporations for the erection, use and maintenance of billboards, structures and other objects for outdoor advertising and to regulate such erection, use and maintenance, and to provide penalties for violations of this act, and to repeal chapter forty of Title 54 of the Revised Statutes," filed May eleventh, one thousand nine hundred and forty-two (P. L. 1942, c. 168).

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

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

Section
amended.

1. No person, firm or corporation, after this act becomes effective, shall engage or continue in the

C. 54:40-20.
Outdoor
advertiser's
license.

business of outdoor advertising for profit through rental or other compensation received for the erection, use or maintenance of billboards, buildings, structures or other objects upon real property for the display of outdoor advertising matter on any stationary object within public view, without first obtaining a license therefor from the Director of the Division of Taxation in the New Jersey Department of Taxation and Finance, hereinafter referred to as Director, and a permit for the erection, use and maintenance of each billboard, building, structure or other object used for outdoor advertising except as provided in section sixteen hereof.

Fee. The fee for each license issued to an applicant shall be one hundred dollars (\$100.00) payable with the application in advance of the issuing of such license.

Expiration. All licenses shall expire on the thirty-first day of March following the date of issue and may be renewed for the ensuing year. All applications for renewal of licenses shall be filed with the Director on or prior to March fifteenth preceding their expiration.

Section amended.

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

C. 54:40-21.
Application,
form and
contents.

2. Each application for such license shall be made on forms to be provided by the Director and shall be verified under oath by the applicant or its duly authorized officer or agent and shall show:

(1) The name of the applicant, location of the principal office or business address of the applicant, and if a firm, the names and addresses of all partners, and if a corporation, the names and addresses of all of the officers of the corporation and of the agent upon whom process may be served, and such other pertinent information as may be prescribed by said Director.

(2) If the applicant does not reside in this State or is a foreign corporation not authorized to do business in this State, the applicant shall authorize in such application the service upon the Director of any process issuing out of any court of this State against the applicant and shall agree that

such service shall be deemed to be personal service upon such applicant. Notice of the service of such process shall be given by the Director to the applicant by mail, addressed to the applicant at the address given in his or its application. Such non-resident applicant or foreign corporation applicant not authorized to do business in this State shall also, with his or its application, file with the Director a bond satisfactory to said Director running to the State of New Jersey in the sum of one thousand dollars (\$1,000.00), conditioned upon the observing and fulfilling by the applicant of all the provisions of this act and upon default in the condition of such bond, the Director may enforce the collection thereof in any court of competent jurisdiction.

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

Section
amended.

3. All persons, firms or corporations before erecting, maintaining or using any billboards, buildings, structures or other objects for the display of outdoor advertising matter, shall apply for and obtain from the Director a permit for the same. The Director is hereby authorized to grant such permits to all persons, firms or corporations, who shall comply with all of the provisions of this act pertaining to such applications. Such applications shall be made on forms to be provided by the Director and verified under oath by the applicant or its duly authorized officer or agent and shall show:

C. 54:40-22.
Permit
required.

Application,
form and
content.

(1) The name and business address of the applicant;

(2) The type and exact location of the billboard, building, structure or other object to be used for outdoor advertising and the dimensions of the space to be so used, and such other pertinent information as may be prescribed by the Director.

(3) A statement by the applicant that the owner or the duly authorized agent of the owner, of the property on which the building, structure or other object for the display of outdoor advertising mat-

ter is located or is to be erected, used and maintained for such display, has given his written consent thereto;

(4) An undertaking by the applicant to maintain any billboard, structure or other object for which application for a permit is made and the advertising display thereon in a safe, sound and good condition;

(5) If the site of the proposed outdoor advertising structure is within the confines of any public highway, park or other public property, the applicant shall file with the application a true copy of the written consent of the public authority controlling such public highway, park or other public property;

(6) A statement in which the applicant agrees to abide by the provisions of this act.

Section
amended.

C. 54:40-23.
Annual fee.

Schedule
of fees.

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

4. There shall be an annual fee for each permit issued, to be paid to the Director.

Such fee shall be based upon the size of the space to be used for outdoor advertising upon any billboard, building, structure or other object and shall be as follows:

(a) Fifty cents (\$0.50) if the space used for advertising does not exceed fifty square feet in area;

(b) One dollar (\$1.00) if space used for advertising exceeds fifty square feet in area, but does not exceed one hundred square feet in area;

(c) Two dollars and fifty cents (\$2.50) if the space used for advertising exceeds one hundred square feet in area, but does not exceed two hundred fifty square feet in area;

(d) Five dollars (\$5.00) if the space used for advertising exceeds two hundred fifty square feet in area, but does not exceed five hundred square feet in area;

(e) Eight dollars (\$8.00) if the space used for advertising exceeds five hundred square feet in area, but does not exceed eight hundred square feet in area;

(f) Twenty-five dollars (\$25.00) if the space used for advertising exceeds eight hundred square feet in area;

(g) Where a series of signs, not exceeding six in number, under permit when this act becomes effective, each not exceeding five square feet in area, is placed in a line parallel to the highway, all carrying a single advertising message, part of which is contained on each sign, then in fixing the permit fee hereunder, the entire series of signs shall be considered as one sign; but this rate shall not apply to permits for any new series of signs not under permit when this act becomes effective.

All permits shall expire on March thirty-first following the date of issue and may be renewed for the ensuing year. All applications for renewals of permits shall be filed with the Director on or prior to March fifteenth preceding their expiration. The fees for all permits granted on or after October first in any year for such year shall be one-half of the foregoing rates.

Expiration
and renewals.

All licenses issued and outstanding on the effective date of this act and all permits issued under this act prior to March thirty-first, one thousand nine hundred and forty-eight, shall be extended to and shall expire on March thirty-first, one thousand nine hundred and forty-eight, without the payment of any additional fee for such extension.

Licenses
extended.

5. Section five of the act of which this act is amendatory is amended to read as follows:

Section
amended.

5. The Director may issue temporary or conditional permits to any applicant, whether licensed or otherwise, for the placing of outdoor advertisements made of wood, metal or cloth for a period of not more than forty-five days.

C. 54:40-24.
Temporary or
conditional
permits.

Fees for such permits shall be paid to the Director upon the filing of the application therefor and shall be twenty-five cents (\$0.25) for each separate advertisement not exceeding one hundred square feet in area and one-half the annual rate, as specified in section four of this act, for each separate advertisement exceeding that area.

Fees.

Bond.

Each applicant for such temporary or conditional permit shall file with the application therefor a bond to the State of New Jersey, approved by the Director, in the sum of one hundred dollars (\$100.00), conditioned upon the removal of all such advertisements within fifteen days after the expiration of such temporary or conditional permit therefor and upon default in the condition of such bond, the Director may enforce the collection thereof in any court of competent jurisdiction.

Section amended.

6. Section seven of the act of which this act is amendatory is amended to read as follows:

C. 54:40-25.
Permits transferred.

7. Upon the application of any seller or purchaser of any billboard, building, structure or other object used for outdoor advertising purposes, the Director is authorized to transfer to such purchaser the permit or permits issued to the seller for the unexpired term of such permit or permits upon the payment of a fee of fifty cents (\$0.50) for each such transfer.

Permit not to be transferred.

No permit may be transferred unless the billboard, building, structure or other object for which permit has been issued, is erected and existing at the time of such transfer.

Section amended.

7. Section ten of the act of which this act is amendatory is amended to read as follows:

C. 54:40-29.
No permit where advertising is deemed injurious to property.

10. No permit other than the renewal of an existing permit shall be issued for the erection, use or maintenance of any billboard, structure or other object for the display of outdoor advertising in any location which in the judgment of the Director would be injurious to the property in the vicinity thereof, or injuriously affect any public interest.

Section amended.

8. Section twelve of the act of which this act is amendatory is amended to read as follows:

C. 54:40-31.
No permit where other advertising is obstructed.

12. No permit shall be issued for the erection, use or maintenance of any billboard, structure or other object for the display of outdoor advertising in any location where such display, in the judgment of the Director, will interfere with the view of any other advertising display for which a permit has been duly issued under this act, or where, in

the judgment of the Director, the extent of existing advertising display is such that any addition thereto will create a condition hazardous to traffic on an adjacent highway.

9. Section fourteen of the act of which this act is amendatory is amended to read as follows: Section amended.

14. The name of the person, firm or corporation owning, leasing or controlling any billboard, building, structure or other object used or maintained for outdoor advertising purposes and an identifying number to be assigned by the Director shall be placed in a conspicuous position on each billboard, building structure or other object used or maintained for outdoor advertising purposes, for which a permit has been issued. C. 54:40-33.
Name of owner and identifying number shown.

10. Section sixteen of the act of which this act is amendatory is amended to read as follows: Section amended.

16. No permit shall be required for the erection, use or maintenance of any sign, billboard, structure, object or other device which is to be used solely for any of the following purposes: C. 54:40-35.
Permits not required.

(1) To advertise exclusively for sale or rent the property upon which such sign or other device is located;

(2) For legal advertisements required by any statute of the State of New Jersey to be posted or displayed;

(3) For any cautionary, informative or directory sign, signal or device erected on any public highway exclusively in the interest of public safety, convenience or health when permission has been given therefor by the public authority having jurisdiction of such public highway;

(4) For the display on any premises, or for display on any equipment on the premises, where any business, manufacturing, sale or service is conducted; *provided*, said display shall not be maintained more than two hundred feet from the point on the premises where such business, manufacturing, sale or service is conducted and provided that such display is not owned and maintained by any person, firm or corporation licensed to engage in Proviso.

Proviso.

the business of outdoor advertising for profit as provided in section one hereof; *and provided further*, that such display may advertise only:

- (a) The name of the business conducted on said premises,
- (b) The nature of the business conducted on said premises,
- (c) The name of the proprietor of the business,
- (d) The articles manufactured on said premises,
- (e) The articles for sale on said premises,
- (f) The service offered and obtainable on said premises,

but this exemption shall not apply to such signs or devices after the sale or manufacture of such articles on the premises or the obtaining of such services on the premises has ceased and after the Director shall have given notice either personally or by registered mail to the person, firm or corporation, erecting, using or maintaining such sign or device, that such person, firm or corporation will be violating the act if such signs are not removed within fourteen days.

(5) For any sign or device erected, owned or maintained by the State of New Jersey, or for any sign or device erected, owned or maintained by any county or municipality thereof if erected within the boundary line of such county or municipality, or for any sign or device erected or maintained pursuant to the provisions of any contract to which the State of New Jersey or to which any county or municipality thereof or any department of or agency of such State, county or municipality shall be a party.

(6) For any private directional sign not exceeding two square feet in area.

11. Section seventeen of the act of which this act is amendatory is amended to read as follows:

Section
amended.

17. Educational, veterans', religious, charitable or civic organizations, not operated for profit, shall obtain a permit in accordance with the provisions of the act for each billboard or other structure maintained or erected but no fee shall be required.

C. 54:40-36.
Free
permits.

12. Section nineteen of the act of which this act is amendatory is amended to read as follows:

Section
amended.

19. The Director is hereby authorized to employ and discharge a supervisor and clerical or other assistants for the administration of his department under the provisions of this act, and to fix their compensation all in accordance with existing Civil Service laws.

C. 54:40-38.
Assistants.

The officers and employees in the employ of the State Tax Department on the first day of December, one thousand nine hundred and forty-two, pursuant to chapter forty of Title 54 of the Revised Statutes, shall be retained in their offices or positions and shall continue as employees of the Division of Taxation in the New Jersey Department of Taxation and Finance under this act unless removed in accordance with the provisions of Title 11 of the Revised Statutes.

Certain officers
and employees
given
permanent
status.

13. Section twenty of the act of which this act is amendatory is amended to read as follows:

Section
amended.

20. The Director is hereby authorized to make rules and regulations for the enforcement of this act, to prescribe and enforce penalties for the failure to comply herewith, to revoke any licenses or permits for such failure and to remove any billboards, structures or other objects used or to be used or maintained for outdoor advertising purposes contrary to any provision of this act. The provisions of subtitle nine of Title 54 of the Revised Statutes shall apply to this act.

C. 54:40-39.
Rules and
regulations.

14. Section twenty-two of the act of which this act is amendatory is amended to read as follows:

Section
amended.

22. All moneys received from licenses and permits which may be granted under the provisions of this act, including any fines and forfeitures

C. 54:40-41.
Use of moneys
received.

collected under the provisions of this act, shall be forthwith deposited as received with the State Treasurer. The expenses of the administration by the Director of the division of his office in charge of carrying out the provisions of this act, shall be disbursed by the State Treasurer on order of the Director out of such funds.

Excess moneys
apportioned.

Any excess of moneys received from such licenses and permits, fines and forfeitures, over the amount of the expenses of the administration of such department, shall be apportioned and paid on or after July first in each year, beginning July first, one thousand nine hundred and forty-eight, on the certificate of the Director, to and among the municipalities in which billboards, buildings, structures or other objects used for outdoor advertising purposes and for which permits have been granted are located, in proportion to the amount of moneys received for such permits as are granted for locations in each municipality.

Section
amended.

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

C. 50:40-42.
Enforcement
procedure:

23. The following procedure shall be followed in actions for the enforcement of penalties set forth in this act:

Suing;
Process;

(a) The said penalty shall be sued for in the name of the Director. Every district court, police justice, recorder, justice of the peace or other police magistrate is hereby authorized, upon the filing of a complaint in writing, duly verified by the Director, or by any assistant or employee of the Director, which may be made upon information or belief, that any person, firm or corporation has violated any of the provisions of this act, to issue process at the suit of the Director as plaintiff. Such process shall be either in the nature of a summons or warrant, which may issue without any order of the court or judge first being obtained against the person or persons so charged. When such process shall be in the nature of a warrant, it shall be returnable forthwith, and when in the nature of a summons, it shall be returnable in not

Nature of
process;

less than five nor more than ten days. Such process shall specify the section of the act which is alleged to have been violated by the defendant or defendants, and upon the return of such process or at any time to which the trial shall be adjourned, the said court shall proceed and summarily hear the testimony and, without the filing of any pleadings, determine the matter and give judgment, without a jury, either for the plaintiff for the recovery of such penalty with costs or for the defendant. If judgment shall be rendered for the plaintiff, the court shall cause any defendant who may refuse or fail to pay forthwith the amount of the judgment rendered against him and all costs and charges incident thereto to be committed to the county jail for any period not exceeding thirty days.

(b) The officers to serve and execute all process under this act shall be officers authorized to serve all process out of said court. Said district court, police justice, recorder, justice of the peace or other police magistrate shall have the power to adjourn the hearing or trial in any case from time to time, but in such case, except in case where the first process was a summons, it shall be the duty of the judge of the district court, police justice, recorder, justice of the peace or other police magistrate to detain the defendant in safe custody unless he shall enter into a bond to the Director with at least one sufficient surety, in a sum fixed by the court which shall be not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00) conditioned for his appearance on the day to which the hearing shall be adjourned and thence from day to day until the case is disposed of, and then to abide by the judgment of the said court, and such bond if forfeited may be prosecuted by said Director.

Service of
process;

Hearing;

Form of
conviction;

(c) The form of conviction in prosecutions under this article shall be in the following or similar form:

“State of New Jersey, }
County of } ss.

Be It Remembered, that on this day of, at in said county,X....., the defendant, was by (name of court) convicted of violating section of an act entitled ‘An act to require and provide for the issuing of licenses and permits to persons, firms and corporations for the erection, use and maintenance of billboards, structures and other objects for outdoor advertising and to regulate such erection, use and maintenance, and to provide penalties for violations of this act, and to repeal chapter forty of Title 54 of the Revised Statutes,’ (date of approval of act) in a summary proceeding at the suit of the Director, upon a complaint 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 does hereby give judgment that the plaintiff recover of the defendant dollars penalty and dollars costs of this proceeding.”

Form of
commitment;

The conviction shall be signed by the judge of the district court, police justice, recorder, justice of the peace or other police magistrate before whom the conviction is had. In case the defendant is committed to jail in default of payment of the penalty, commitment in the following form shall

be added beneath the judge's signature to the conviction:

"And the saidX....., neglecting and refusing to pay the amount of the penalty above mentioned, with costs, it is hereby ordered that the saidX..... be and he is hereby committed to the common jail in the county of for a period of days, unless the said penalty and costs are sooned paid."

Such commitment shall also be signed by the judge and, in case of commitment of any defendant to jail, the conviction and the commitment shall be signed in duplicate, and one of the duplicate copies shall serve the purpose of a warrant of commitment. If a defendant who is committed to jail in default of payment of the penalty shall serve the full period for which he shall be committed, upon his release from jail he shall be entitled to have the judgment satisfied of record, and the certificate of the warden of said jail that the said defendant has been detained for the period specified in the commitment shall be sufficient warrant for the clerk of any court in which the judgment for the penalty and costs is docketed to discharge the same of record.

(d) The clerk of any district court or the clerk of any recorder's or police court may sign and seal any process required to issue 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 court and shall be recoverable by said Director 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 as other judgments recovered in said court are docketed. 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.

Clerks may
issue certain
process.

Section
amended.

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

C. 54:40-43.
Injunction
against
habitual
violators.

24. The Director of Taxation and Finance may file a bill in the Court of Chancery for an injunction to prohibit any habitual violation of this act, or any of the orders, rules or regulations made by the Director, and every such action shall proceed in the Court of Chancery according to the rules and practice of that court, and cases of emergency shall have precedence over other litigation pending at the time in the Court of Chancery, and final hearing may be had within such time and on such notice as the Chancellor shall direct.

Section
amended.

17. Section twenty-five of the act of which this act is amendatory is amended to read as follows:

C. 54:40-44.
Appeals.

25. The defendant in any proceedings instituted under this act may appeal from the judgment or sentence of the magistrate, recorder or judge to the court of special sessions of the county in which such proceedings shall have been taken; *provided*, the said defendant shall, within ten days after the date of judgment, deliver to such magistrate, recorder or judge a bond to the State of New Jersey, with at least one sufficient surety, in such amount as the magistrate, recorder or judge shall direct, not exceeding twice the amount of the judgment and costs, or make a cash deposit with him of such amount as the magistrate, recorder or judge shall direct not exceeding twice the amount of the judgment and costs, conditioned to stand to and abide by such further order or judgment as may thereafter be made against the said defendant. Upon default in the condition of such bond the Director may enforce the collection thereof in any court of competent jurisdiction. Such appeal properly taken and perfected, in accordance with the provisions of this act, shall be a stay of and upon the enforcement of a sentence of imprisonment, whether the execution of such sentence shall have been entered upon or not, as well as such other judgment as may be pronounced.

Proviso.

The said defendant shall serve upon the prosecutor of the pleas of the county wherein the offense was committed and upon the magistrate, recorder or judge imposing such sentence, or the clerk or deputy clerk of such magistrate, recorder or judge, a written notice of appeal within ten days from the rendering of judgment; the bond so taken under this section shall, by the magistrate, recorder or judge or clerk, be duly filed in the office of the clerk of the county, or the cash deposited be turned over to the said clerk of the county by such magistrate, recorder, judge or his clerk and such magistrate, recorder or judge shall promptly notify the prosecutor of the service of such notice of appeal made upon him; *and provided further*, Service of notice of appeal. that if the said defendant shall, after the rendering of said judgment or sentence, announce to said magistrate, recorder or judge his intention to appeal therefrom and either give bond or make the deposit as herein provided, he shall have ten days from the date of the rendition of such judgment or sentence within which to complete his appeal, during which said ten days the execution of whatever sentence or judgment shall have been rendered, whether of imprisonment or fine, shall be stayed and in case the said defendant shall fail to complete his appeal within said days, like proceedings may be had as would follow an appeal taken and the entry of a judgment of affirmance thereon. Proviso.

Whenever an appeal shall be taken, as aforesaid, it shall be the duty of the magistrate within ten days after defendant had completed his appeal to send all papers and all moneys, if any, deposited in accordance with the provisions of this act, and all moneys paid for the cost of prosecution, together with a transcript of the proceedings in the case, to the court of special sessions of the said county, and the trial on appeal must be noticed for a hearing by the said defendant for a day not more than thirty days after he has completed his appeal, and in the event that the court be not Record and fine remitted.

in session, then for a day as soon thereafter as the said court will fix to hear the same, by serving the prosecutor of the pleas of the county, wherein the alleged violation was committed, not more than ten days after completing his appeal a five days' written notice thereof, and it shall be the duty of the prosecutor of the pleas of the county, wherein the alleged violation was committed, to represent the complainant at the trial on appeal.

Appeal to
operate as a
trial de novo.

Whenever an appeal shall be taken under the provisions of this act to the court of special sessions, such appeal shall not operate to bring up the proceedings in the court appealed from for review, but shall operate as an application for a trial de novo and as a consent that said court of special sessions may during or before the trial amend the complaint by making the charge more specific, definite or certain, or in any other manner, including the substitution of any charge growing out of the same transaction or surrounding circumstances of which the tribunal appealed from had jurisdiction. In the event of any amendment by which a new or different charge is made, the court shall give to the defendant a reasonable time in its discretion in which to prepare for and proceed with the trial. The court of special sessions shall de novo and in a summary manner try and determine all such charges and appeals and in case the defendant is convicted by such court, it shall impose the penalty prescribed by this act, which conviction and sentence shall supersede and nullify the conviction and judgment in the court below; and in case the defendant is acquitted upon such trial de novo, the court of special sessions shall order the conviction below set aside and the return of all moneys deposited and all costs of prosecution paid by the said defendant.

Trial.

Section
amended.

C. 54:40-45.
Fines remitted
to director.

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

26. All moneys collected in fines shall be immediately forwarded by such magistrate, recorder or judge to the Director within fifteen days after date

of the payment of said fines, or within ten days after the decision of the court of special sessions in those cases where appeal proceedings were had. The Director upon receipt of such moneys shall pay over the same to the Treasurer of the State of New Jersey.

19. Section twenty-seven of the act of which this act is amendatory is amended to read as follows:

27. Any person who, having collected any fine for any violation of this act or who having received any forfeited moneys, shall fail within thirty days after final determination by the magistrate, recorder or judge or the court of special sessions to forward said fine to the Director shall be guilty of a misdemeanor and subject to a penalty not exceeding five hundred dollars (\$500.00).

It shall be the duty of any person who shall collect any fine or costs for any violation of this act, when so requested, to deliver to the offender a proper itemized receipt therefor. Any person who shall violate this provision shall be subject to a fine not exceeding twenty-five dollars (\$25.00).

Approved May 20, 1947.

Section
amended.

C. 54:40-46.
Penalty for
failure to
remit fines.

Receipt upon
request.

CHAPTER 170

AN ACT concerning the pensioning of county probation officers in certain counties of this State, and supplementing article five of chapter ten of Title 43 of the Revised Statutes.

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

1. The board of chosen freeholders may adopt a resolution directing that this article shall not apply to any person becoming a probation officer subsequent to the passage of such resolution who,

C. 43:10-59.1.
Resolution
on application
of act.

at the time he becomes such probation officer, is eligible to become a member of the State retirement system.

C. 43:10-59.2.
Not to impair
pension rights.

2. The adoption of a resolution pursuant to this act shall not impair the pension rights of any probation officer theretofore employed, nor shall it relieve the county of its obligation to maintain a pension fund under this article for such previously appointed probation officers.

3. This act shall take effect immediately.

Approved May 20, 1947.

CHAPTER 171

AN Act to supplement "An act providing for the retirement of persons employed in the department of weights and measures of any county in this State, and providing a pension for such persons so retired," filed June twenty-first, one thousand nine hundred and thirty-eight (P. L. 1938, c. 397).

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

C. 43:10-113.
Resolution
on application
of act.

1. The board of chosen freeholders may adopt a resolution directing that the act to which this act is a supplement shall not apply to any person becoming a county superintendent of weights and measures or an assistant county superintendent of weights and measures subsequent to the passage of such resolution, who, at the time he becomes such county superintendent of weights and measures or assistant county superintendent of weights and measures, is eligible to become a member of the State retirement system.

C. 43:10-114.
Not to impair
pension rights.

2. The adoption of a resolution pursuant to this act shall not impair the pension rights of any

county superintendent of weights and measures or assistant county superintendent of weights and measures, nor shall it relieve the county of its obligation to maintain a pension fund under this article for such previously appointed county superintendent of weights and measures or assistant county superintendent of weights and measures.

3. This act shall take effect immediately.

Approved May 20, 1947.

CHAPTER 172

AN ACT concerning the pensioning of sheriffs' employees in certain counties of this State, and supplementing article six of chapter ten of Title 43 of the Revised Statutes.

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

1. The board of chosen freeholders may adopt a resolution directing that this article shall not apply to any person becoming a sheriff's employee subsequent to the passage of such resolution who, at the time he becomes such sheriff's employee, is eligible to become a member of the State retirement system.

C. 43:10-72.2.
Resolution
on application
of act.

2. The adoption of a resolution pursuant to this act shall not impair the pension rights of any sheriff's employee theretofore employed, nor shall it relieve the county of its obligation to maintain a pension fund under this article for such previously appointed sheriff's employees.

C. 43:10-72.3.
Not to impair
pension rights.

3. This act shall take effect immediately.

Approved May 20, 1947.

CHAPTER 173

AN ACT concerning the pensioning of county detectives in certain counties of this State, and supplementing article two of chapter ten of Title 43 of the Revised Statutes.

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

C. 43:10-29.1.
Resolution
on application
of act.

1. The board of chosen freeholders may adopt a resolution directing that this article shall not apply to any person becoming a county detective subsequent to the passage of such resolution who, at the time he becomes such county detective, is eligible to become a member of the State retirement system.

C. 43:10-29.2.
Not to impair
pension rights.

2. The adoption of a resolution pursuant to this act shall not impair the pension rights of any county detective theretofore employed, nor shall it relieve the county of its obligation to maintain a pension fund under this article for such previously appointed county detectives.

3. This act shall take effect immediately.
Approved May 20, 1947.

CHAPTER 174

AN ACT to supplement "An act providing for the pensioning of court interpreters in counties of the second class," approved June fourteenth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 330).

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

1. The Board of Chosen Freeholders may adopt a resolution directing that the act to which this act is a supplement shall not apply to any person becoming a court interpreter subsequent to the passage of such resolution, who, at the time he becomes such court interpreter, is eligible to become a member of the State retirement system.

C. 43:10-105.2.
Resolution
on application
of act.

2. The adoption of a resolution pursuant to this act shall not impair the pension rights of any court interpreter theretofore employed, nor shall it relieve the county of its obligation to maintain a pension fund under this article for such previously appointed court interpreter.

C. 43:10-105.3.
Not to impair
pension rights.

3. This act shall take effect immediately.

Approved May 20, 1947.

CHAPTER 175

AN ACT to provide for the burial of members of the Armed Forces of the United States who died in active service during the second World War, and amending section 38:17-1 of the Revised Statutes.

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

Section
amended.

1. Section 38:17-1 of the Revised Statutes is amended to read as follows:

Authorized to
pay burial
expenses.

38:17-1. The board of chosen freeholders in each of the counties shall designate a proper authority, other than that designated by law for the care of paupers and the custody of criminals, who shall cause to be interred the bodies of all honorably discharged soldiers, sailors, marines or nurses who served, or shall have served, in the Army or Navy of the United States during any war in which the United States has been engaged, is engaged or shall be engaged, who shall die without leaving means sufficient to defray funeral expenses. The expense of such funeral shall not exceed in any case the sum of two hundred fifty dollars (\$250.00).

Such authority shall also, upon application by an interested party, cause to be interred the bodies of members of the Armed Forces of the United States who died in active service during the second World War. The expense of such interment shall not in any case exceed the sum of fifty dollars (\$50.00).

2. This act shall take effect immediately.

Approved May 21, 1947,

CHAPTER 176

AN ACT to amend "An act concerning the State Employees' Retirement System, and supplementing chapter fourteen of Title 43 of the Revised Statutes," approved May third, one thousand nine hundred and forty-six (P. L. 1946, c. 280).

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

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

8. The words "public agency or organization" as used in this act shall be construed to mean and include any agency or organization which operates public works or is engaged in service to the public for one or more municipalities, local boards of health, or counties, and whose revenue is derived from other than State funds, but shall not be construed to include any subdivision of any county, municipality, school district, privately owned public utility or service or any religious, educational or charitable organization.

Section
amended.

C. 43:14-69.
Public agency
or organization
defined.

2. This act shall take effect immediately.

Approved May 21, 1947.

CHAPTER 177

AN Act relating to public health; providing for the establishment in the Executive Branch of the State Government of a State Department of Health, defining its organization, functions, powers and duties, providing thereby for the consolidation and co-ordination of public health activities; abolishing the offices of Perth Amboy Port health officer and deputy Perth Amboy Port health officer; transferring to, and vesting in said State Department of Health the functions, powers and duties of the Perth Amboy Port health officer and of the deputy Perth Amboy Port health officer; amending section 26:1-1, repealing sections 26:2-1 to 26:2-55, inclusive, 26:4-111, 26:4-114, 26:4-115, and supplementing Title 26 of the Revised Statutes.

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

ARTICLE I

DEFINITIONS

- C. 26:1A-1. 1. As used in this act, unless otherwise specifically indicated, "State Department," "Department of Health" and "department" mean the State Department of Health;
- Commissioner; "Commissioner" means the State Commissioner of Health who is the chief administrative officer of the State Department of Health;
- Council; "Council" means the Public Health Council in the State Department of Health;
- Bureau; "Bureau" means one of the bureaus in the State Department of Health;

“Bureau director” means the director of one of the bureaus in the State Department of Health;

Bureau director;

“Local board” or “local board of health” means the board of health of any municipality or the boards, bodies or officers in such municipality lawfully exercising any of the powers of a local board of health under the laws governing such municipality.

Local board;

ARTICLE II

2. There is hereby established, in the Executive Branch of the State Government, a State Department of Health.

C. 26:1A-2.
Department
established.

3. The chief administrative officer of the department shall be the State Commissioner of Health, who shall be a duly licensed physician, a graduate of a regularly chartered and legally constituted medical school or college, with skill in sanitary science, and with at least five years of full-time experience in an administrative or executive capacity in a public health agency. He shall be appointed by the Governor, by and with the advice and consent of the Senate, and shall hold office for a term of five years and until his successor is appointed and qualified.

C. 26:1A-3.
Commissioner,
qualifications.

Appointment,
term.

He shall devote his entire time and attention to the duties of his office and shall receive an annual compensation of fifteen thousand dollars (\$15,000.00). He may be removed from office by the Governor, for cause.

Salary.

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

Vacancy.

4. There shall be in the department a Public Health Council which shall consist of seven members, each of whom shall be chosen with due regard to his knowledge of and interest in public health and each of whom shall be a citizen of this State. Two of such members shall be duly licensed physicians. Each member shall be appointed by the Governor, by and with the advice and consent of

C. 26:1A-4.
Public health
council.

the Senate, for a term of seven years and until his successor is appointed and qualified; *provided, however,* that the first appointments hereunder shall be for terms which shall commence on the first day of July, one thousand nine hundred and forty-seven, and shall continue one for one year, one for two years, one for three years, one for four years, one for five years, one for six years and one for seven years. Any member of the Public Health Council may be removed from office by the Governor, for cause.

Any vacancy occurring in the membership of the council for any cause shall be filled in the same manner as the original appointment but for the unexpired term only.

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

5. There shall be within the department such bureaus as the commissioner may, subject to approval by the Public Health Council, from time to time establish. Each bureau shall be under the supervision of a director, who shall be a person qualified by training and experience to direct the work assigned to it; and two or more bureaus may be consolidated by the commissioner. The commissioner may authorize one of the bureau directors to act for him and in his place, as his deputy, during his absence or disability. The commissioner may delegate such of his powers, as he may deem desirable for the efficient administration of the department, to be exercised under his direction and supervision by one or more of the bureau directors.

Each bureau director shall devote his entire time and attention to the performance of his duties.

ARTICLE III

POWERS AND DUTIES OF THE PUBLIC HEALTH COUNCIL

6. The Public Health Council shall enact and from time to time may amend rules in relation to

its meetings and the transaction of its business. It shall meet in the offices of the department at Trenton in each month at such times as its rules may prescribe. It shall meet at such other times and places within the State as, in its judgment, may be necessary. Four members of the council shall constitute a quorum thereof and, except as otherwise provided in section seven of this act, all action shall be taken by a majority vote. The commissioner shall attend all meetings of the council.

The council shall elect one of its members chairman who shall hold office for one year and until his successor shall be elected.

The council shall keep complete and accurate minutes of all its meetings, hearings, and other sessions. All such minutes shall be retained in a permanent record, and shall be available for public inspection at all times during the office hours of the department.

7. The Public Health Council shall have power, by the affirmative vote of a majority of all its members, to establish, and from time to time amend and repeal, such reasonable sanitary regulations not inconsistent with the provisions of this act or the provisions of any other law of this State as may be necessary properly to preserve and improve the public health in this State. The regulations so established shall be called the State Sanitary Code.

C. 26:1A-7.
State sanitary
code.

The State Sanitary Code may cover any subject affecting public health, or the preservation and improvement of public health and the prevention of disease in the State of New Jersey. In addition thereto, and not in limitation thereof, said State Sanitary Code may contain sanitary regulations: (a) prohibiting nuisances hazardous to human health; (b) prohibiting pollution of any water supply; (c) regulating the use of privies and cesspools; (d) regulating the disposition of excremental matter; (e) regulating the control of fly and mosquito breeding places; (f) regulating the detection, reporting, prevention and control of communicable

and preventable diseases; (g) regulating the conduct of public funerals; (h) regulating the conduct of boarding homes for children; (i) regulating the conduct of maternity homes and the care of maternity and infant patient therein; (j) regulating the conduct of camps; (k) regulating the production, distribution and sale of certified milk; (l) regulating the preparation, handling, transportation, burial or other disposal, disinterment and reburial of dead human bodies; and (m) prescribing standards of cleanliness for public eating rooms and restaurants.

Hearings.

Prior to the final adoption by the council of any sanitary regulation or amendment thereto or repealer thereof the council shall hold a public hearing thereon. The council shall cause to be published, at least fifteen days prior to such hearing, in such manner as such council shall determine, a notice of such hearing, specifying the time when and the place where such hearing will be held, together with the text of the proposed regulation, amendment or repealer.

C. 26:1A-8.
Effective
date stated.

8. Every sanitary regulation or amendment thereto or repealer thereof adopted in accordance with the provisions of section seven of this act shall state the date on which it takes effect, and a copy thereof, duly signed by the chairman of the council, shall be sent by the commissioner to each local board of health and to the governing body of each municipality within the State, and shall be published in such manner as the Public Health Council may from time to time determine. The commissioner, or one of the bureau directors designated by him, shall, for a fee of one dollar (\$1.00) each, furnish copies of the State Sanitary Code and its amendments certified by the chairman of the council and such certified copies shall be received in evidence in all court or other judicial proceedings in the State.

Fee for
certification.

C. 26:1A-9.
To have force
and effect
of law.

9. The provisions of the State Sanitary Code shall have the force and effect of law. Such code shall be observed throughout the State and shall

be enforced by each local board of health, the local police authorities and other enforcement agencies. Nothing herein contained however shall be deemed to limit the right of any local board of health to adopt such ordinances, rules and regulations, as, in its opinion, may be necessary for the particular locality under its jurisdiction; but such ordinances, rules and regulations shall not be in conflict with the laws of this State or the provisions of the State Sanitary Code, except, however, that such ordinances, rules and regulations may be more restrictive than the provisions of the State Sanitary Code.

10. Each violation of any provision of the State Sanitary Code shall constitute a separate offense and each such violation shall be punishable by a penalty of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00). Each such penalty shall be sued for and recovered in an action at law, in any court of competent jurisdiction, by and in the name of the State Department of Health or by and in the name of the local board of health of the municipality in which the violation occurred.

C. 26:1A-10.
Violation,
penalties.

The pleadings in any such action shall conform in all respects to the practice prevailing in the court in which the action shall be instituted, but no pleading or process shall be set aside or invalidated by reason of any formal or technical defects therein if the same contain a statement of the nature of the alleged violation and of the section of the State Sanitary Code alleged to have been violated. Upon the attention of the court being called to any such formal or technical defect, the same shall be immediately corrected and the pleading or process amended as a matter of course. As to all other defects in pleadings or process, the same may be amended in the discretion of the court, as in any other action or proceeding in such court.

Defect not to
invalidate
process or
pleading.

In any such action when judgment is rendered against a defendant other than a body corporate, execution may be issued against his goods and chattels and body without any order of the court for that purpose first had and obtained.

Execution
of judgment.

Committed
to jail.

If the officer executing such writ is unable to find within his jurisdiction sufficient goods and chattels of the defendant to satisfy the judgment, he shall deliver the body of the defendant to the keeper of the common jail of such county, there to be detained until discharged by the court in which the judgment was obtained, or by one of the justices of the Supreme Court, when such court or justice is satisfied that further confinement will not result in the payment of the judgment and costs.

Execution
against
corporate
body.

If judgment is rendered against a body corporate, execution shall be issued against the goods and chattels of such body corporate as in other actions at law.

Payment
of penalty.

Any penalty recovered in any such action shall be paid to the plaintiff therein. When the plaintiff is the State Department of Health, the penalty recovered shall be paid by the department to the State Treasurer. When the plaintiff is a local board of health, the penalty recovered shall be paid by the local board into the treasury of the municipality within which the local board has jurisdiction.

C. 26:1A-11.
Additional
powers and
duties.

11. In addition to its powers and duties otherwise provided in this act, the Public Health Council may:

a. Request from the commissioner such information, concerning the work of the department, as it may deem necessary;

b. Consider any matter relating to the preservation and improvement of public health, and may advise the commissioner thereon;

c. From time to time submit to the commissioner any recommendations which it may deem necessary for the proper conduct of the department;

d. Study and investigate the public health activities of the State and report its findings thereon to the Governor and the Legislature.

12. Every local board of health shall file with the commissioner a certified copy of every by-law or ordinance of such board immediately upon passage of the same.

C. 26:1A-12.
By-laws,
etc., filed.

The Public Health Council may modify or annul any order, regulation, by-law or ordinance of any local board of health if, after giving reasonable notice and affording an opportunity to be heard to the members of such local board, the council shall determine that such order, regulation, by-law or ordinance concerns a matter which affects the public health beyond the territory over which such local board has jurisdiction.

May modify
or annul.

ARTICLE IV

POWERS AND DUTIES OF THE COMMISSIONER

13. The commissioner shall, subject to approval by the Public Health Council, prescribe the organization of the department. He shall, subject to the provisions of Title 11 of the Revised Statutes relating to Civil Service, appoint the directors of the bureaus and such other personnel as he may consider necessary for the efficient performance of the work of the department.

C. 26:1A-13.
Powers and
duties of
commissioner.

He shall prescribe the duties of all such persons thus appointed and shall, subject to approval by the Public Health Council, fix their compensation within the limits of available appropriations. All such persons thus appointed shall be in the classified service of the Civil Service of the State, unless otherwise provided by law.

14. Subject to approval by the Public Health Council, the commissioner may, subject to any provisions of Title 11 of the Revised Statutes relating thereto, abolish any office or position which in his judgment it may be unnecessary to retain.

C. 26:1A-14.
May abolish
office or
position.

C. 26:1A-15.
Additional
powers of
commissioner.

15. The commissioner, in addition to his powers and duties otherwise provided in this act or by any other law, shall:

a. Exercise all functions and powers of the department not specifically vested in the Public Health Council by this act;

b. Adopt rules and regulations governing the internal management of the department;

c. Administer the work of the department;

d. Enforce all laws relating to the health of the people of the State, and all provisions of the State Sanitary Code;

e. Administer all laws which are by their terms included under his jurisdiction or under the jurisdiction of the department;

f. Maintain liaison with local, State and Federal officials and agencies concerned with matters of public health or otherwise related to the functions of the department;

g. Report to the Governor, the Legislature, and the Public Health Council, with respect to the work of the department, on March fifteenth of each year and at such other times as he may deem in the public interest;

h. Institute or cause to be instituted such legal proceedings or processes as may be necessary properly to enforce and give effect to any of his powers or duties as prescribed in this act;

i. Cause studies to be made to determine whether the recognized public health activities of local health departments are being conducted and whether minimum standards of performance are being met in all municipalities of the State and for the purposes of this subsection, the commissioner shall recommend and the Public Health Council shall prescribe what are to be considered as "recognized public health activities" and "minimum standards of performance";

j. Require local boards of health to establish and maintain a program of recognized public health activities and to meet minimum standards of performance as prescribed by the Public Health Council in accordance with the provisions of subsection "i" of this section.

16. The commissioner shall have full access to any premises for the purpose of examination if he has reason to believe that on the premises there exists a violation of any health law of the State or any provision of the State Sanitary Code.

C. 26:1A-16.
Right of
entry.

17. The commissioner shall have the same right of inspection in regard to all matters affecting the public health as has been or may be conferred upon the local boards of health.

C. 26:1A-17.
Right of
inspection.

18. The commissioner shall exercise general supervision over all matters relating to sanitation and hygiene throughout the State. Whenever in the opinion of the commissioner it is necessary or advisable, a sanitary survey of the whole or of any part of the State shall be made. The commissioner may enter upon, examine and survey any source and means of water supply, sewage disposal plant, sewage system, prison, public or private place of detention, asylum, hospital, school, public building, private institution, factory, workshop, tenement, public wash room, public rest room, public toilet and toilet facility, public eating room and restaurant, and also any premises in which he has reason to believe there exists a violation of any health law of the State, any provision of the State Sanitary Code, or any law which he has the duty of administering.

C. 26:1A-18.
Sanitary
survey.

19. The commissioner may make a sanitary inspection of any person or property in transportation through the State, and of any car, boat, or other vehicle in which such person or property may be transported, and may enforce such detention or disinfection as may be necessary for the public safety.

C. 26:1A-19.
Sanitary
inspection.

C. 26:1A-20.
Information
furnished.

20. Every local health official shall furnish the commissioner with such information as the commissioner may demand, and shall perform such acts as the commissioner may direct, with regard to, and within, the territory under the jurisdiction of the local health official.

C. 26:1A-21.
Annual conference of
health officials.

21. At least once in every year the commissioner shall call together local health officials for a general conference on the subject of the health of the people of the State, and a discussion of ways and means to promote the same and to prevent disease.

C. 26:1A-22.
Delegates.

22. Each local board of health may appoint one or more of its members, officers, or employees as a delegate or delegates to attend the annual conference. The actual traveling and hotel expenses of each delegate shall be paid by the treasurer or other disbursing officer of the municipality within which the local board has jurisdiction, upon presentation by each delegate of a certificate of his appointment and a bill of his expenses duly verified by affidavit.

C. 26:1A-23.
Notice to local
board on
failure to
enforce laws.

23. The commissioner shall call to the attention of any local board of health, by such notice as he may deem reasonable, any failure on its part to enforce the laws of the State or the provisions of the State Sanitary Code and afford such local board an opportunity to explain its failure. The determination of the commissioner as to what is a reasonable notice shall be conclusive. If, after a hearing, it is found that no good reason exists for the failure of the local board of health to enforce the law or the provisions of the State Sanitary Code, the commissioner shall issue an order directing it to do so.

Action upon
failure to
comply.

If the local board fails to comply with such order within the time specified, or, if none is specified, within a reasonable time, the commissioner shall immediately take such action as may be necessary to perform the acts specified in the order.

Order deemed
prima facie
evidence.

In all legal proceedings the order of the commissioner shall be prima facie evidence of compliance with the provisions of this section, and conclusive evidence of the violation recited in the order.

24. Any contracts which the commissioner may make for the purpose of carrying out the power given to him in the second paragraph of section twenty-three of this act shall be binding upon the local municipality and shall have the same force and effect as if duly authorized and made by the local board of health.

C. 26:1A-24.
Contracts binding on local officials.

25. Any moneys expended by the State, and the amount of all obligations incurred by the State Department, to comply with the orders mentioned in section twenty-three of this act may be recovered in an action at law, in the name of the State Department, from the municipality the local board of health of which failed to comply with the order, and when recovered shall be paid to the State Treasurer.

C. 26:1A-25.
Recovery of money.

26. Whenever any nuisance or source of foulness within the territorial jurisdiction of any local board of health is of such a nature that, in the opinion of the commissioner, it is hazardous to the health of persons residing within the limits of the jurisdiction of such local board, the commissioner may cause a notice in writing, signed by him, to be sent to the local board, requiring it to cause the nuisance or source of foulness to be abated within such time as the commissioner by the notice may specify.

C. 26:1A-26.
Abatement of nuisance.

27. If no action for abatement, as provided in section twenty-six of this act shall be taken by the local board within the time specified in the notice, or if in the opinion of the commissioner the action of the local board shall not be such as the necessities of the case seem to him to require, the commissioner may file a bill in the Court of Chancery in the name of the State on the relation of the commissioner for an injunction to prohibit the continuance of the nuisance or source of foulness.

C. 26:1A-27.
Injunction.

28. Whenever any nuisance or foul odors injurious to the public health within the territorial jurisdiction of a local board shall have a source of origin outside such territorial jurisdiction, the State Commissioner of Health may file a bill in

C. 26:1A-28.
Injunction when source is outside local jurisdiction.

the Court of Chancery, in the name of the State, on the relation of the commissioner, for an injunction to prohibit the continuance of the nuisance or source of foulness or ill health.

C. 26:1A-29.
Court of
jurisdiction.

29. Any action instituted under sections twenty-six to twenty-eight of this act shall proceed in the Court of Chancery according to the rules and practice in such cases on the relation of individuals. Cases of emergency shall have precedence over other pending litigation and may have final hearing within such time and on such notice as the Chancellor may direct.

C. 26:1A-30.
Injunction.

30. In every such action in which it shall be ascertained by the Court of Chancery that the nuisance or source of foulness or ill health existed at the time of the filing of the bill, substantially as therein set forth, the court may abate the same by an injunction or otherwise, according to the practice of the court. The court may charge the costs of the action upon the property whereon the nuisance or source of foulness or ill health is found. Payment of the costs may be enforced by the sale of property or any part of it, by writ of fieri facias, or the court may order the persons who caused the nuisance or source of foulness or ill health, or allowed the same to continue, to pay the costs, and may enforce obedience to such order.

C. 26:1A-31.
No cost
against.

31. In case no such nuisance or source of foulness or ill health shall be found to exist, costs shall not be awarded against the commissioner unless it shall appear that no probable cause existed for bringing such suit.

C. 26:1A-32.
Approval by
commissioner.

32. Whenever the approval of the Department of Health is required to any act, plan, paper, or proposed undertaking, the commissioner or one of the bureau directors authorized for such purpose by him, shall examine the same. If such examination is made by a bureau director he shall report to the commissioner the results of his examination, together with his recommendations for action. If in conducting such examination the commissioner deems it necessary, he shall conduct hearings and examine witnesses.

33. The commissioner may cause to be made, in the State laboratory, analyses and examinations of samples of water, food, drugs, pathological materials and similar substances, when requested to do so by any official agency in this State or by any duly licensed physician, dentist, pharmacist, or veterinarian of this State.

C. 26:1A-33.
Analyses and examinations.

The commissioner shall fix the charges to be made for analyses and examinations and shall make rules governing the collection and examination of samples.

Charges.

All moneys received for the analyses and examinations of such samples shall be paid by the commissioner to the State Treasurer.

Moneys to State Treasurer.

34. Subject to approval by the Governor and the Public Health Council, the commissioner may accept and administer for the State any grant, gift or bequest to be applied, principal or income, or both, for the purpose specified in such grant, gift or bequest, to the maintenance and use of any service in, or activity of, the department.

C. 26:1A-34.
To administer grants and gifts.

35. Subject to approval by the Public Health Council, the commissioner may accept the services of any local or Federal official or agency in such manner and in such capacities as he may deem appropriate.

C. 26:1A-35.
Services of other officials.

36. Subject to approval by the Governor and the Public Health Council, the commissioner may apply for and accept grants from the Federal Government or any officer or agency thereof, and may comply with the terms, conditions and limitations thereof, for any of the purposes of this act. Any moneys so received may be expended by the department, subject to any limitations imposed in the grant, to effect any of the purposes of this act, upon warrant of the Commissioner of Taxation and Finance on vouchers certified or approved by the Commissioner of Health.

C. 26:1A-36.
Apply for and accept federal aid.

ARTICLE V

FUNCTIONS OF THE DEPARTMENT

C. 26:1A-37.
To formulate
comprehensive
policies.
Powers and
duties:

Vital statistics;

Health
education;

Public health
nursing;

Control of
preventable
diseases;

37. The department shall formulate comprehensive policies for the promotion of public health and the prevention of disease within the State. It shall in addition to other powers and duties vested in it by this act or by any other law:

a. Collect, preserve and tabulate all information required by law in reference to births, marriages, deaths and all vital facts and shall obtain, collect and preserve such information relating to the health of the people of the State and to the prevention of disease as may be useful in the discharge of the functions of the department;

b. Prepare and administer or supervise a State-wide program of health education, prepare and make available to practicing physicians and local boards of health in the State technical information concerning public health, co-operate with the Commissioner of Education in the preparation and distribution of health bulletins among all the public schools of the State for the purpose of educating children in sanitation and hygiene, co-operate with the Commissioner of Education in the preparation of a program of school health services.

c. Administer or supervise a program of public health nursing, prescribe the minimum qualifications of all public health nurses engaged in official public health work, and encourage and aid in co-ordinating local public health nursing services;

d. Encourage, direct and aid in co-ordinating local programs concerning control of preventable diseases in accordance with a unified State-wide plan which shall be formulated by the department;

e. Administer or supervise a program of maternal and child health services, encourage and aid in co-ordinating local programs concerning maternal and infant hygiene, and encourage and aid in co-ordinating local programs concerning prenatal and post-natal care, and may, when requested by a local board of education, supervise the work of school nurses;

Maternal and
child health;

f. Administer or supervise a program of dental health, encourage and aid in co-ordinating local programs concerning dental health;

Dental health;

g. Establish and maintain adequate serological, bacteriological and chemical laboratories with such expert assistance and such facilities as are necessary for routine examinations and analyses, and for original investigations and research in matters affecting public health;

Laboratories;

h. Administer or supervise a program of industrial hygiene, encourage the establishment of medical, dental, environmental engineering and nursing services in all industrial plants in the State, co-operate with the State Department of Labor in formulating rules and regulations concerning industrial sanitary conditions;

Industrial
hygiene;

i. Supervise sanitary engineering facilities and projects within the State, authority for which is now or may hereafter be vested by law in the State Department of Health, and shall, in the exercise of such supervision, make and enforce rules and regulations concerning plans and specifications, or either, for the construction, improvement, alteration or operation of all public water supplies, all public bathing places, and of sewerage systems and disposal plants for treatment of sewage, wastes and other deleterious matter, liquid or solid, discharged into any of the waters of the State, require all such plans or specifications, or either, to be first approved by it before any

Sanitary
engineering;

work thereunder shall be commenced, inspect all such projects during the progress thereof and enforce compliance with such approved plans and specifications;

Enforce food and drug laws;

j. Enforce the State food, drug, and cosmetic laws and collaborate in the enforcement of the Federal Food, Drug, and Cosmetic Act;

Minutes of meetings.

k. Keep complete and accurate minutes of all hearings held before the commissioner or any member of the department pursuant to the provisions of this act.

Minutes a permanent record.

All such minutes shall be retained in a permanent record, and shall be available for public inspection at all times during the office hours of the department.

ARTICLE VI

EXAMINATION AND LICENSING OF HEALTH OFFICERS

AND INSPECTORS

C. 26:1A-38.
Qualifications of officers.

38. The Public Health Council shall prescribe the qualifications of health officers, sanitary inspectors, food and drug inspectors, milk inspectors, meat inspectors, and plumbing inspectors.

C. 26:1A-39.
Examination of applicants.

39. The commissioner shall cause examinations to be conducted in such manner and at such times and places as he may prescribe, for the purpose of determining the qualifications of applicants for licenses as health officers, sanitary inspectors, food and drug inspectors, milk inspectors, meat inspectors, and plumbing inspectors, of the classes and grades set forth in section forty-one hereof.

C. 26:1A-40.
Scope of examination.

40. Every such examination shall be in such public health subjects as the commissioner shall direct.

C. 26:1A-41.
Classes and grades of licenses.

41. The commissioner shall, in the name of the department, issue the following classes and grades of licenses:

- a. Health officer's license;
- b. Sanitary inspector's license of the first grade;

- c. Sanitary inspector's license of the second grade;
- d. Plumbing inspector's license of the first grade;
- e. Plumbing inspector's license of the second grade;
- f. Food and drug inspector's license;
- g. Milk inspector's license;
- h. Meat inspector's license.

However, any health officer's license, sanitary inspector's license, and plumbing inspector's license heretofore issued by the State Department of Health shall, unless suspended or revoked in accordance with the provisions of sections forty-three and forty-four of this act, remain in effect during the term thereof.

42. Each applicant whose examination shall be approved by the commissioner shall receive the license to which his examination may entitle him.

C. 26:1A-42.
To receive
license.

43. Any license issued in accordance with the provisions of this article, and any health officer's license, sanitary inspector's license, and plumbing inspector's license heretofore issued by the State Department of Health, may be suspended or revoked, in the manner provided in section forty-four hereof, for any of the following causes:

C. 26:1A-43.
May suspend
or revoke
license.

- a. Violation of any of the provisions of this act or of any law relating to public health;
- b. Violation of any provision of the State Sanitary Code;
- c. Violation of any applicable local health regulation or ordinance;
- d. Any act or happening occurring after the making of application for such license which, if the same had occurred prior to said time, would have prevented the issuance of such license.

C. 26:1A-44.
Hearing.

Notice.

Action by
council.

Suspension
or revocation
effected.

Filing.

44. Upon written charges alleging any such violation, act or happening being filed with the Public Health Council by the commissioner or by the local board of health within whose territory or jurisdiction such violation, act or happening occurred, said Public Health Council shall thereupon fix a time and place for a hearing before it thereon. Said Public Health Council shall, at least ten days prior to such hearing, cause to be served upon the licensee, either personally or by mailing the same by registered mail addressed to him at his home address, a written copy of the charges and a written notice of the time and place of the hearing.

At the hearing the Public Health Council 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 Health Council may suspend or revoke said license.

A suspension or revocation of license shall be effected by a notice in writing of such suspension or revocation, designating the effective date thereof, and in case of suspension, the term of such suspension, which notice may be served upon the licensee personally or by mailing the same by registered mail addressed to him at his home address.

A copy of such notice of suspension or revocation of license shall be filed with the local board by the commissioner.

ARTICLE VII

HEARINGS AND INVESTIGATIONS

C. 26:1A-45.
Hearings and
examination by
commissioner.

45. Whenever it is necessary for the Department of Health to hold any hearing or to make any investigation, under any law or rule, the hearing may be held or the examination be made by the direction of the commissioner, in accordance with such rules as he may prescribe. The hearing or investigation may be before the commissioner or a member of the department designated by him. If before a member of the department so designated,

he shall submit to the commissioner the evidence taken by him, together with his recommendations.

46. The commissioner and any member of the department authorized for such purpose by him, may, in any part of the State, administer oaths and examine witnesses under oath in any matter relating to the powers and duties of the department, or to the health of the people of the State, or to the prevention of disease. Any persons who, having been so sworn, willfully gives false testimony shall be guilty of perjury.

C. 26:1A-46.
May administer oaths.

Perjury.

47. The commissioner may issue subpoenas, signed by him requiring the attendance of witnesses and the production of books and papers in any part of the State before him, or a member of the department designated by him.

C. 26:1A-47.
Subpoenas.

48. Any person who, being served with a subpoena issued pursuant to the provisions of section forty-seven of this act, shall fail to attend or give testimony, unless such testimony incriminate him or subject him to a fine or punishment, shall be liable to a penalty of five hundred dollars (\$500.00) for each offense, to be recovered in the name of the State; the penalty, when recovered, to be paid to the State Treasurer.

C. 26:1A-48.
Penalty for failure to attend when subpoenaed.

49. The Attorney-General shall prosecute the action for the recovery of the penalty prescribed in section forty-eight of this act when requested so to do by the commissioner, and when, in his judgment, the facts and the law warrant such prosecution.

C. 26:1A-49.
Attorney-General to prosecute.

ARTICLE VIII

STATE HEALTH DISTRICTS

50. The commissioner may, subject to approval by the Public Health Council, from time to time establish such health districts as he may deem necessary. He shall, subject to the provisions of Title 11 of the Revised Statutes, relating to civil service, appoint, for each of such districts, a district State health officer who shall be a person

C. 26:1A-50.
Health districts, officers.

Duties of
district health
officers.

qualified in public health administration. All such persons thus appointed shall be in the classified service of the civil service of the State, unless otherwise provided by law. The commissioner shall, subject to approval by the Public Health Council, and within the limits of available appropriations therefor, fix the compensation of each of the district State health officers thus appointed. Each district State health officer, under the direction of the commissioner and subject to the provisions of the State Sanitary Code, shall, in addition to such other duties as may be imposed upon him by the commissioner, perform the following duties:

a. Keep himself informed as to the work of each local health department within his health district;

b. Aid each local health officer within his health district in the performance of his duties, and particularly during the prevalence of any contagious disease;

c. Assist each local health officer within his health district in making an annual health survey of the territory within his jurisdiction, and in maintaining therein a continuous sanitary supervision;

d. Call together the local health officers within the district or any portion of it from time to time for conference;

e. Adjust questions of jurisdiction arising between local health officers within his district;

f. Study the causes of excessive mortality from any disease in any portion of his district;

g. Promote efficient registration of births and deaths;

h. Endeavor to enlist the co-operation of all the organizations concerned or interested in public health activities within his district, in the improvement of public health therein;

i. Disseminate information to the general public in all matters pertaining to public health; and

j. Act as the representative of the commissioner, and under his direction, in securing the enforcement within his district of the provisions of the State Sanitary Code and of the laws of this State pertaining to public health.

ARTICLE IX

GENERAL

51. The offices of Perth Amboy Port health officer and deputy Perth Amboy Port health officer are hereby abolished. The terms of office of the present Perth Amboy Port health officer and deputy Perth Amboy Port health officer shall expire on the thirtieth day of June, one thousand nine hundred and forty-seven.

C. 26:1A-51.
Offices
abolished.

52. The functions, powers, duties, records and property of the present State Department of Health and of the Perth Amboy Port health officer are hereby transferred to and vested in the State Department of Health established under this act, to be exercised and used by it pursuant to the provisions of this act and as otherwise provided by law.

C. 26:1A-52.
Functions
and powers
transferred.

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

C. 26:1A-53.
Terms to
expire.

54. The term of office of the present State Director of Health shall expire on the thirtieth day of June, one thousand nine hundred and forty-seven, but he shall continue in office until a State Commissioner of Health is appointed and qualified as provided in section three of this act.

C. 26:1A-54.
Director's
term to expire.

55. The functions, powers and duties of the State Board of Health and the functions, powers and duties of the present Director of Health are hereby transferred to and vested in the State Department of Health established under this act, to be exercised in accordance with the provisions of this act and as otherwise provided by law.

C. 26:1A-55.
Functions
powers and
duties
transferred.

C. 26:1A-56.
Sanitary code
to continue.

56. The regulations contained in the present State Sanitary Code shall continue with full force and effect until superseded pursuant to sections seven and eight of this act.

C. 26:1A-57.
Appropriations
transferred.

57. All appropriations available and to become available to the present State Department of Health and all appropriations available and to become available to the offices abolished by this act are hereby transferred to the State Department of Health established under this act.

C. 26:1A-58.
Employees
transferred.

58. The employees of the present State Department of Health, except as otherwise provided in this act, are hereby transferred to the State Department of Health established under this act. Persons so transferred shall be assigned to such duties as the commissioner shall determine.

C. 26:1A-59.
Not to affect
civil service
rights.

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

C. 26:1A-60.
Quarters.

60. The department shall be provided with suitable quarters which shall be sufficient to house all of the bureaus of the department within the same building.

C. 26:1A-61.
Use of words,
State board
of health.

61. Whenever the terms "State Board of Health," "State Department of Health" and "Department of Health" occur or any reference is made to any of said terms, in any law, they, and each of them, shall be deemed to mean or refer to the State Department of Health as described in this act. The Commissioner of Health shall, except as may be otherwise provided by this act, have all powers conferred and perform all the duties imposed by law upon the State Board of Health, or any member, committee or officer thereof, including the secretary.

C. 26:1A-62.
Use of words,
State director
of health.

62. Whenever the terms "State Director of Health," "Perth Amboy Port health officer" and "deputy Perth Amboy Port health officer" occur or any reference is made to any of said terms, in any law, they, and each of them, shall be deemed to mean or refer to the State Commissioner of Health as described in this act.

63. This act shall not affect actions or proceedings, civil or criminal, brought by or against the State Board of Health or the State Department of Health, and pending on the first day of July, one thousand nine hundred and forty-seven, and such actions or proceedings may be prosecuted or defended in the same manner and to the same effect by the State Commissioner of Health as if the foregoing provisions had not taken effect. Nor shall any of the foregoing provisions affect in any manner any order or recommendation made by, or other matters or proceedings before, such State Board of Health or State Department of Health, and all such matters and proceedings pending before such board or department on said date shall be continued before the State Commissioner of Health.

C. 26:1A-63.
Not to affect
court actions.

64. Section 26:1-1 of the Revised Statutes is amended to read as follows:

Section
amended.

26:1-1. As used in this title unless otherwise specifically indicated:

Terms defined.

“State department,” “department of health” and “department” mean the State Department of Health;

“Commissioner” or “Director” means the State Commissioner of Health who is the chief administrative officer of the State Department of Health;

“Council” means the Public Health Council in the State Department of Health;

“Bureau” means one of the bureaus in the State Department of Health;

“Bureau director” means the director of one of the bureaus in the State Department of Health;

“Local board” or “local board of health” means the board of health of any municipality or the boards, body, or officers in such municipality lawfully exercising any of the powers of a local board of health under the laws governing such municipality.

65. The following sections of the Revised Statutes are hereby repealed: Revised Statutes, sections 26:2-1 to 26:2-55, inclusive, 26:4-111, 26:4-114 and 26:4-115.

C. 26:1A-64.
Sections
repealed.

C. 26:1A-65.
Intention
of act.

C. 26:1A-66.
Not to affect
religious
tenants.

Proviso.

C. 26:1A-67.
Other State
departments
not to be
affected.

C. 26:1A-68.
Act effective.

66. This act is intended to protect the public health in this State and shall be liberally construed.

67. This act shall not be construed to deny the right of a person, parent, guardian or custodian to treat or provide treatment for himself or an ill minor in accordance with the religious tenets of any church as is now or may hereafter be authorized by other statutes of this State, or to require any such person or any of his minor children to submit to physical examination other than as is now or may hereafter be required by other statutes of this State, or to require any such person or any of his minor children to submit to confinement in any hospital or medical institution other than as is now or may hereafter be required by other statutes of this State; *provided, always, however*, that the laws, rules and regulations relating to communicable diseases and sanitary matters are not violated.

68. The powers, duties and functions vested in the State Department of Health under the provisions of this act shall not be construed to affect in any manner the powers, duties and functions vested in the State Department of Labor or the State Commissioner of Labor under any other provisions of law.

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

Approved May 22, 1947.

CHAPTER 178

AN ACT concerning the elimination of grade and other crossings of railroad tracks and highways, amending sections 48:12-62, 48:12-70, 48:12-71, 48:12-77 and supplementing chapter twelve of Title 48 of the Revised Statutes.

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

1. Section 48:12-62 of the Revised Statutes is amended to read as follows: Section amended.

48:12-62. The railroad company or companies involved shall pay fifteen per centum (15%) and the board, out of funds to be provided for that purpose, shall pay eighty-five per centum (85%) of the entire expense of such alterations, reconstructions, changes, relocation or opening, including damages to adjacent property and the cost of removing, relaying or relocating any municipal pipes, conduits or subways. Division of expenses.

2. Sections 48:12-61 to 48:12-66 of the Revised Statutes shall apply to all alterations, reconstructions, changes, relocations or openings ordered by the Board of Public Utility Commissioners, after the effective date of this act, and also to any alterations, reconstructions, changes, relocations or openings ordered prior to such effective date, if no part of the work under such order had been actually commenced on the ground prior to such date. No further application to the board shall be necessary in any proceedings in which an order of the board had been made prior to the effective date of this act to bring the alterations, reconstructions, changes, relocations or openings, so ordered, within the provisions of said sections 48:12-61 to 48:12-66 of this Title. C. 48:12-67.1. Sections of R. S. to apply.

This section shall not be applicable to any grade crossing elimination under a State Highway Com- Section not to apply.

mission program, pursuant to the provisions of sections 48:12-68 to 48:12-77 of this Title.

Section
amended.

3. Section 48:12-70 of the Revised Statutes is amended to read as follows:

Division
of cost.

48:12-70. The cost of the work to be shared by railroad companies and the State Highway Commission, provided for in any annual program, exclusive of the cost of the surface paving on roadways and the curbing, sidewalk paving and guard rails on approaches, which shall be constructed at the sole expense of the State, shall be borne and paid fifteen per centum (15%) by the railroad company or companies involved and eighty-five per centum (85%) by the State.

Section
amended.

4. Section 48:12-71 of the Revised Statutes is amended to read as follows:

Agreement as
to division.

48:12-71. The State Highway Commission and any railroad company or companies may enter into an agreement on the basis of the division of the cost, as provided by sections 48:12-70 of this Title, covering the work in the annual program, or the elimination of any crossing at grade or the improvement, relocation, alteration or reconstruction of any crossing not at grade on any State highway, in addition to the work provided for in such program.

Section
amended.

5. Section 48:12-77 of the Revised Statutes is amended to read as follows:

Railroad to
stand expense.

48:12-77. Where the total cost of work is to be borne by the State, the expense of closing, abandoning or combining any existing road or highway shall be borne solely by the railroad company or companies involved.

Division
of expenses.

Where the cost of construction of the new State highway crossing is divided between the State and the railroad company or companies involved, the cost of closing, abandoning or combining the existing crossing shall be borne eighty-five per centum (85%) by the State and fifteen per centum (15%) by the railroad company or companies involved.

6. This act shall take effect immediately.

Approved May 22, 1947.

CHAPTER 179

AN ACT concerning the prevention and control of juvenile delinquency, providing for the creation of municipal youth guidance councils in the municipalities of this State, and defining the powers and duties of such municipal youth guidance councils.

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

1. When authorized by resolution of the municipal governing body, the mayor or chief executive officer of each municipality in this State shall appoint by and with the advice and consent of the said governing body a municipal youth guidance council for the said municipality of not to exceed seven members, all of whom shall be residents of the said municipality. The membership of the municipal youth guidance council shall include at least one representative of the municipal governing body, one representative of the school system, and one representative of the municipal police department. C. 9:22-1.
Municipal
youth guidance
council.
2. Two or more contiguous municipalities may by concurrent resolution of their respective governing bodies establish a joint municipal youth guidance commission. Where a joint municipal youth guidance commission is established, the membership shall be divided among the participating municipalities on a basis deemed equitable by the respective governing bodies. C. 9:22-2.
Joint council.
3. Members of the municipal youth guidance council shall be appointed to serve for a term of three years or until their successors be appointed with the exception that the terms of the original membership of the council should be so constituted as to provide that three of the members shall serve for one year, two for two years, and two for three years. C. 9:22-3.
Term.

C. 9:22-4.
Organization.
Meetings.

4. The members of the municipal youth guidance council shall organize annually by selecting a chairman, vice-chairman and secretary. The municipal youth guidance council shall meet regularly, at least once each month, and at such other times as its chairman shall direct.

C. 9:22-5.
Responsibility.

5. The municipal youth guidance council shall be charged with responsibility to:

a. Assist in co-ordinating and integrating community plans and services, governmental and voluntary, affecting the welfare of all children and youth in the community.

b. Assist in co-ordinating and integrating community plans and services, governmental and voluntary, for protecting children who are especially exposed to conditions conducive to delinquency.

c. Assist in co-ordinating and integrating community plans for the control of harmful influences in the community.

C. 9:22-6.
Powers.

6. Each municipal youth guidance 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 youth guidance.

b. To create subcommittees, composed of members and nonmembers of the municipal youth guidance council, to aid and assist in the work of the said council.

c. To request and obtain such co-operation, assistance and data from 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 youth guidance.

C. 9:22-7.
State agency
to co-operate.

7. It shall be the duty of the Division of Community Services for Delinquency Prevention, of the Department of Institutions and Agencies, hereafter referred to as the State agency, to advise and counsel each municipal youth guidance council

and fully to co-operate with such councils in the development of plans and activities.

8. Any municipal youth guidance council may, by resolution, create a special subcommittee to be known as the adjustment committee consisting of persons qualified by experience and training to assist in and to co-ordinate the efforts of police, schools, and other agencies to provide guidance and counsel to children with incipient behavior problems and to co-operate with the juvenile and domestic relations court having jurisdiction when cases arise in which official adjudication of delinquency seems indicated.

C. 9:22-8.
Appoint sub-
committees.

When an adjustment committee shall have been appointed, the municipal youth guidance council shall draft a plan of operation which shall be registered with the State agency, referred to in paragraph six of this act and with the juvenile and domestic relations court having jurisdiction. This plan shall outline the procedure for the referral of cases to the committee by police, schools, other agencies concerned with youth problems, and by other interested persons. The adjustment committee of each municipal youth guidance commission shall maintain summary records of each child brought to its attention. The summary records shall include data concerning the circumstances surrounding each referral of a child to the committee, concerning his family, school, church, and neighborhood relationships, and concerning the methods used by the committee to improve the adjustment of the child. These records shall be confidential with the exception that they may be reviewed at any time by the judge of the juvenile and domestic relations court having jurisdiction, to make sure that no child properly referable to such court is denied access to the court. Each municipal youth guidance council may also be called upon to provide reports of the operations of its adjustment committee by the municipal governing body, the juvenile and domestic relations court, or by the State agency.

Plan of
operation.

Summary
records kept.

Records
confidential.

C. 9:22-9.
Petitions.

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

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

B. To appoint a referee to hear and recommend disposition of any cases specifically referred to the referee by the judge of the juvenile and domestic relations court of the county and any cases coming within the provisions of subdivisions d, e, f, i, j, k, and l of 9:18-12 of the Revised Statutes arising within the limits of the petitioning municipality. It shall be the duty of the petitioning municipality to see that adequate diagnostic services shall be made available to such children.

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

Upon receipt of a petition to appoint a referee the judge of the juvenile and domestic relations court, shall: proceed to appoint a member of the adjustment committee, or some other suitable person, as referee in accordance with 9:18-34. Nothing in this provision shall limit the present discretionary power of the juvenile court judges to appoint referees on their own initiative or to prevent a juvenile judge from hearing cases scheduled to be heard in the petitioning municipality in place of the referee so appointed by him.

C. 9:22-10.
Unlawful to
hold hearings.

10. It shall be unlawful for any person other than the referee appointed or the juvenile and domestic relations court judge to hold hearings concerning any children coming within the provisions of 9:18-12.

C. 9:22-11.
Authorized
to make
appropriations.

11. Each municipality of this State is hereby authorized and empowered to appropriate and make available to its municipal youth guidance

council such sums of money as may be deemed necessary to defray its expenses, and the activities of such municipal youth guidance councils are hereby declared to be proper purposes for which the moneys of the municipality may be expended.

12. This act shall take effect July first, one thousand nine hundred and forty-seven. C. 9:22-12.
Act effective.

Approved May 23, 1947.

CHAPTER 180

AN ACT concerning the welfare of minor children and providing means for reducing juvenile delinquency in municipalities wherein convicted defendants and juvenile delinquents reside.

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

1. On the determination of a criminal case before a judge of a court of general criminal jurisdiction or a judge of the juvenile and domestic relations court, it shall appear that the guilt of the defendant or delinquency of the child is attributable in whole or in part to the existence of deleterious, degrading or deteriorating conditions, practices or influences within the municipality wherein the convicted defendant or delinquent child resides, the judge, upon a determination of guilt or delinquency shall send a report as to such conditions, practices, or influences to the governing body of the municipality in which the convicted defendant or delinquent child resides. C. 9:21-1.
Report of judge to governing body.

2. If in any municipality there shall exist a municipal youth guidance commission or other organization specifically devoted to the prevention of crime and juvenile delinquency, such commission or organization may notify the judges of the courts C. 9:21-2.
Notice to judge.

having jurisdiction of offenses and juvenile delinquency occurring in such municipality of its existence and it shall be the duty of such judges to send copies of all such reports to such commission or other organization.

3. This act shall take effect immediately.

Approved May 23, 1947.

CHAPTER 181

AN ACT concerning public health, amending sections 26:3-19, 26:3-20, 26:3-21, 26:3-22, 26:3-26, 26:3-27, supplementing article one of chapter three of Title 26, and repealing sections 26:3-17, 26:3-18 and 26:3-25 of the Revised Statutes.

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

Section
amended.

1. Section 26:3-19 of the Revised Statutes is amended to read as follows:

Personnel.

26:3-19. The local board may employ such personnel as it may deem necessary, including health officers, plumbing inspectors, food and drug inspectors, milk inspectors and meat inspectors, of the classes and grades provided for by law, to carry into effect the powers vested in it. It shall fix the duties, term, and compensation of every appointee.

Removal
for cause.

The appointees, agents and officers of a local board shall hold their offices during the term for which they are severally appointed, and shall not be removed except for cause and after an opportunity has been given them for a hearing.

General
agent for
enforcement.

Any duly appointed health officer shall, during the term of his appointment and subject to the superior authority of the local board appointing him, be its general agent for the enforcement of its

ordinances and the sanitary laws of the State. Any duly appointed sanitary inspector, food and drug inspector, milk inspector, meat inspector or plumbing inspector shall be the agent of the local board appointing him for the performance of such services not inconsistent with the license held as such local board, or any health officer under the authority of such board, shall assign to him. A sanitary inspector is authorized to make all types of inspections for a local board except plumbing inspections.

2. Section 26:3-20 of the Revised Statutes is amended to read as follows: Section amended.

26:3-20. No local board shall appoint any person as health officer, sanitary inspector, food and drug inspector, milk inspector, meat inspector or plumbing inspector nor employ a person to do work ordinarily performed by a health officer or an inspector of any of the classes named, who is not the holder of a proper license as such. Appointee to have license.

3. Section 26:3-21 of the Revised Statutes is amended to read as follows: Section amended.

26:3-21. Any holder of a license as a health officer shall be eligible to appointment as such officer by any local board. Those eligible for appointment.

Any holder of a license as a sanitary inspector of the first grade shall be eligible to appointment as such inspector by any local board.

Any holder of a license as a sanitary inspector of the second grade shall be eligible to appointment as such inspector by the local board in any municipality having a population of not more than twenty-five thousand at the last Federal census.

In every municipality having a population of more than twenty-five thousand, all sanitary inspectors appointed shall be of the first grade; *provided, however*, that if the local board of such municipality employs two or more inspectors of the first grade, it may employ sanitary inspectors of the second grade on a temporary basis until such inspectors have qualified for and received licenses as sanitary inspector of the first grade. In Proviso.

no case shall such temporary employment of a second grade sanitary inspector continue for more than three years from the date of his original appointment.

Any holder of a license as food and drug inspector shall be eligible to appointment as such inspector by any local board.

Any holder of a license as milk inspector shall be eligible to appointment as such inspector by any local board.

Any holder of a license as meat inspector shall be eligible to appointment as such inspector by any local board.

Any holder of a license as plumbing inspector of the first grade shall be eligible to appointment as such inspector by any local board.

Any holder of a license as plumbing inspector of the second grade shall be eligible to appointment as such inspector by the local board of any municipality having a population of not more than twenty-five thousand at the last Federal census.

All sanitary inspectors' licenses of the first class issued prior to the passage of this act shall be accepted as sanitary inspectors' licenses of the first grade. All sanitary inspectors' licenses of the second class issued prior to the passage of this act shall be accepted as sanitary inspectors' licenses of the the second grade. All sanitary inspectors' licenses of the third class issued prior to the passage of this act shall remain valid in townships and entitle holders thereof to serve legally as sanitary inspectors in the employ of township boards of health. All plumbing inspectors' licenses issued prior to the passage of this act shall be accepted as plumbing inspectors' licenses of the first grade. Any holder of a license as plumbing inspector issued prior to the passage of this act who applies to the department for a corresponding license of the first grade shall be issued such license.

4. Section 26:3-22 of the Revised Statutes is amended to read as follows:

26:3-22. Local boards of health of two or more adjacent municipalities may join in employing a health officer and one or more sanitary inspectors and other personnel. In such case, the local boards of such municipalities or a regional health commission formed by them, as the case may be, shall fix the salary to be paid to the health officer, inspectors and other personnel, arrange the duties of such persons and in the case of regional health commissions apportion the sums to be paid by each of the municipalities, which sums shall be paid from moneys appropriated to the local boards of such municipalities.

5. Every health officer and every sanitary inspector, plumbing inspector, food and drug inspector, milk inspector and meat inspector holding a license as such issued in the name of the State Department of Health, who is employed by any municipality or group of municipalities governed by the provisions of subtitle three of Title 11 of the Revised Statutes, shall receive his or her maximum salary in their respective salary ranges, within five years from the date of his or her appointment as such health officer or inspector.

6. Section 26:3-26 of the Revised Statutes is amended to read as follows:

26:3-26. No health officer, inspector or employee holding a license issued in the name of the State Department of Health, after five years' consecutive service in the employ of a local board or regional health commission, shall be removed from office or reduced in pay or position except for just cause and after public hearing as provided in section 26:3-27 of this Title.

7. Section 26:3-27 of the Revised Statutes is amended to read as follows:

26:3-27. The local board or regional health commission employing a health officer or inspector whom it is sought to remove, shall formulate or

Section amended.

Joint health officer.

C. 26:3-25.1.
To receive maximum salary.

Section amended.

Tenure.

Section amended.

Removal of licensed health officer, procedure.

receive charges, in writing, against such person and shall fix a time and 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 twenty days prior to the hearing.

At the hearing the local board or regional health 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 local board or regional health commission may remove or reduce the pay or position of the person against whom the charges are made.

C. 26:3-20.1.
Injunctions.

8. Whenever any local board shall violate any of the provisions of section 26:3-20 of this Title, the department may file a bill in the Court of Chancery in the name of the State at the relation of the department for an injunction to restrain such violation and for such other or further relief as the Court of Chancery shall deem proper.

Sections
repealed.

9. Sections 26:3-17, 26:3-18 and 26:3-25 of the Revised Statutes are repealed.

Note.

10. This act shall take effect July first, one thousand nine hundred and forty-seven.

Approved May 23, 1947.

CHAPTER 182

AN ACT concerning the civil service of the State, counties, municipalities and school districts operating under the Civil Service laws.

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

To continue
present
program.

1. The president of the Civil Service Commission and the chief examiner and secretary shall continue the present program of holding examinations, making certifications, and requiring appointment of eligibles to existing vacancies as rapidly

as possible and as available staff and funds will permit. The continuance of necessary provisional and temporary employees pending certification and appointment from eligible lists is hereby authorized until June thirtieth, one thousand nine hundred and forty-eight.

Temporary
employees
continued.

2. This act shall take effect immediately.

Approved May 23, 1947.

CHAPTER 183

AN ACT concerning certain employees of the Department of Taxation and Finance, and supplementing subtitle two of Title 11 of the Revised Statutes.

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

1. The Commissioner of the Department of Taxation and Finance is hereby authorized to certify to the Civil Service Commission the names of all those employees except employees within the provisions of chapter two hundred twenty-two of the laws of one thousand nine hundred and thirty-nine now employed in the accounting bureau of said department who were on July first, one thousand nine hundred and forty, in the employ of the State.

To certify
names of cer-
tain employees.

2. When the Commissioner of the Department of Taxation and Finance has certified the names of the aforesaid employees, the Civil Service Commission shall classify the employees so certified in the competitive class of civil service, without examination, and such employees shall thereafter be subject to all the provisions of Title 11 of the Revised Statutes with respect to tenure, classification and compensation.

Civil service
status.

3. This act shall take effect immediately.

Approved May 23, 1947.

CHAPTER 184

AN ACT concerning welfare, and amending section 44:3-1 of the Revised Statutes.

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

Section amended.

1. Section 44:3-1 of the Revised Statutes is amended to read as follows:

Authority to house the poor.

44:3-1. The governing body of every municipality may:

a. Erect, extend, alter and improve such buildings as may be necessary for the housing of the poor of the municipality; and

b. Acquire by purchase, gift or condemnation the necessary land for that purpose.

c. By resolution, adopt an official name for such building or buildings as are used for the housing of the poor.

2. This act shall take effect immediately.

Approved May 23, 1947.

CHAPTER 185

AN ACT to authorize municipalities to settle, compromise, or abate past due taxes assessed against certain property used for charitable, benevolent or religious purposes and exempt by law from taxation, and supplementing Title 54 of the Revised Statutes.

Preamble.

WHEREAS, The lands and premises used for the purposes and in the work of certain charitable organizations and associations have been subjected to taxation because of a technical departure of the laws granting exemption from taxation to such charitable organizations and associations; and

WHEREAS, The said organizations and associations are supported chiefly by funds contributed by the general public, and the funds so contributed are used for the welfare of the public; and

Preamble.

WHEREAS, Payment of the taxes so assessed would seriously impair the usefulness and curtail the services rendered to the public; and

Preamble.

WHEREAS, It is against the public interest that the funds of such organizations and associations be diverted to purposes other than those for which they were created and are operating; therefore,

Preamble.

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

1. Where taxes have heretofore been assessed by any municipality upon real or personal property used for charitable, benevolent or religious purposes and where such property, during the years for which such taxes were assessed, which would have been exempt from taxation but for a technical departure from the provisions of section 54:4-3.6 of the Revised Statutes relating to the exclusive use of such property for the purposes therein expressed; and where such taxes have remained unpaid and in arrears for the period of six years or longer or such property has been sold for nonpayment of such taxes, the governing body of the municipality in which such property is located may adjust, settle or abate such past due taxes, as to principal and as to interest, costs and penalties thereon, as it shall deem equitable and just; *provided*, that nothing in this act contained shall in anywise impair the right, title, interest and estate or lien of any purchaser, other than such municipality, acquired under any sale made for past due taxes.

May adjust
or abate taxes.

Proviso.

2. This act shall take effect immediately.

Approved May 23, 1947.

CHAPTER 186

AN ACT to enable certain constables of certain judicial district courts in counties of the first class to receive the same rights, privileges and compensation as those now granted to sergeant-at-arms of said courts, and supplementing chapter eight, Title 2 of the Revised Statutes.

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

To have
privileges
and same
compensation.

1. In all judicial district courts in the counties of the first class, except in judicial districts including all of the territory lying within the boundaries of the county, having constables, such constables, if for ten years next preceding July fourth, one thousand nine hundred and forty-seven, have performed the duties required of sergeants-at-arms of such judicial district courts, they shall be entitled to all the rights and privileges of sergeant-at-arms of such judicial district courts and shall be entitled to receive the same compensation as is provided for sergeant-at-arms.

2. This act shall take effect immediately.

Approved May 23, 1947.

CHAPTER 187

AN Act validating certain chattel mortgages heretofore made to secure the repayment of certain veterans' loans, or renewals or extensions thereof, application for which has been approved by the Commissioner of the Department of Economic Development for and on behalf of the Veterans Loan Authority.

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

1. Any chattel mortgage heretofore made to secure repayment of a veteran's loan, or renewal or extension thereof, application for which has been approved by the Commissioner of the Department of Economic Development for and on behalf of the Veterans Loan Authority, is hereby validated and confirmed, notwithstanding that the affidavit of consideration therein has not been completed to the extent required by law, or does not sufficiently describe the consideration for the making of such mortgage as required by law.

Validates
certain chattel
mortgages.

2. This act shall take effect immediately.

Approved May 23, 1947.

CHAPTER 188

AN Act validating certain instruments heretofore made or given as evidence of, or to secure repayment of, certain veterans' loans, or renewals or extensions thereof, application for which has been approved by the Commissioner of the Department of Economic Development for and on behalf of the Veterans Loan Authority.

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

Instruments
validated.

1. Any contract, note or other written obligation heretofore made or given as evidence of, or to secure repayment of, veteran's loan, or renewal or extension thereof, application for which has been approved by the Commissioner of the Department of Economic Development for and on behalf of the Veterans Loan Authority, is hereby validated and confirmed, notwithstanding any attachment to such contract, note or other written obligation or inclusion therein of any waiver, prior to the first day of July, one thousand nine hundred and forty-six, of any period, or part thereof, provided by law for the payment of the first installment of interest or principal, or both, on such loan, or notwithstanding any defect therein of any kind; *provided*, that the amount of such loan does not exceed the amount thereof approved by the Commissioner of the Department of Economic Development; *and provided*, that such loan bears interest at a rate not in excess of four per centum (4%) per annum on the unpaid balance of principal.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved May 23, 1947.

CHAPTER 189

AN ACT to amend the title of "An act concerning veterans' loans by certain minors," approved April twenty-third, one thousand nine hundred and forty-six (P. L. 1946, c. 134), so that the same shall read "An act concerning veterans' loans made to, or secured by the endorsement of, certain minors," and to amend the body of said act.

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

1. The title of "An act concerning veterans' loans by certain minors," approved April twenty-third, one thousand nine hundred and forty-six (P. L. 1946, c. 134), is amended to read "An act concerning veterans' loans made to, or secured by the endorsement of, certain minors." Title amended.
New title.

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

1. Any contract, promissory note or other written obligation, pledge, mortgage or conveyance, made or endorsed or joined in by any person over eighteen years of age, for himself or as husband or wife of any other person or in any other capacity, and under twenty-one years of age, to any person, firm, association or corporation or to any governmental agency or corporation, either State or Federal, to repay, or secure payment of, a veteran's loan under the provisions of Title III, Public Law 346, Seventy-eighth Congress of the United States (Chapter 268-2d Session) approved June twenty-second, one thousand nine hundred and forty-four, known as the "Servicemen's Readjustment Act of 1944," or under the provisions of Titles I or II of the Bankhead-Jones Farm Tenant Act, 7 U. S. C. 1000 to 1029, Public Law 210, Seventy-fifth Congress of the United States, approved July twenty-second, one thousand nine hun- C. 38:23B-23.
Validates
loans to minor
veterans.

dred and thirty-seven, as amended by the Farmers' Home Administration Act of 1946, Public Law 731, Seventy-ninth Congress of the United States, approved August fourteenth, one thousand nine hundred and forty-six, or other similar Federal legislation, and of any act amendatory thereof or supplemental thereto, or under the provisions of "An act to provide for guaranteed or insured bank loans to certain war veterans for the purposes of establishing or re-establishing themselves in small businesses or professions, and of enabling them to purchase household furnishings and household appliances required by them for use in their homes, and providing appropriations therefor," approved April fourteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 126) as said title was amended by chapter one hundred twenty-one of the laws of one thousand nine hundred and forty-six, and of any act amendatory thereof or supplemental thereto, or payment whereof is guaranteed or insured by any such governmental agency or corporation as such a veteran's loan or which forms part of the same transaction as the making of such veteran's loan, shall, notwithstanding any provisions of law to the contrary, be as valid and binding as if said person were, at the time of making and executing or endorsing or joining in the same, of the age of twenty-one years and may be enforced in any action or proceeding by and against such person in his or her own name and shall be valid without the consent thereto of the parent or guardian of such person; and such person shall not disaffirm such instrument because of his or her age, nor shall any such person hereafter interpose the defense that he or she is, or was at the time of making and executing or endorsing or joining in such instrument, a minor, in any action or proceeding arising out of any such veteran's loan.

3. This act shall take effect immediately.

Approved May 23, 1947.

CHAPTER 190

AN ACT to amend “An act to provide for guaranteed or insured bank loans to certain war veterans for the purposes of establishing or re-establishing themselves in small businesses or professions, and of enabling them to purchase household furnishings and household appliances required by them for use in their homes, and providing appropriations therefor,” approved April fourteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 126), as said title was amended by chapter one hundred twenty-one of the laws of one thousand nine hundred and forty-six, and to amend “An act to amend the title of ‘An act to provide for guaranteed bank loans to certain war veterans for the purposes of establishing or re-establishing themselves in small business or a profession, and providing an appropriation therefor,’ approved April fourteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 126), so that the same shall read ‘An act to provide for guaranteed or insured bank loans to certain war veterans for the purposes of establishing or re-establishing themselves in small businesses or professions, and of enabling them to purchase household furnishings and household appliances required by them for use in their homes, and providing appropriations therefor,’ and to amend and supplement the body of said act, and to amend the title of ‘An act to amend and supplement “An act to provide for guaranteed bank loans to certain war veterans for the purposes of estab-

lishing or re-establishing themselves in small business or a profession, and providing an appropriation therefor," approved April fourteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 126), and to repeal section fifteen of said act,' approved April seventeenth, one thousand nine hundred and forty-five (P. L. 1945, c. 185), so that the same shall read 'An act to amend and supplement "An act to provide for guaranteed or insured bank loans to certain war veterans for the purposes of establishing or re-establishing themselves in small businesses or professions, and of enabling them to purchase household furnishings and household appliances required by them for use in their homes, and providing appropriations therefor," approved April fourteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 126), and to repeal section fifteen of said act,' and to amend the body of said act, and providing an appropriation therefor," approved April twenty-second, one thousand nine hundred and forty-six (P. L. 1946, c. 121).

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

Section
amended.

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

C. 38:23B-12.
Business
loan note.

12. Each business loan made under this act shall:

a. Be evidenced by a note or other obligation approved by the commissioner.

Interest.

b. Bear interest at a rate not exceeding four per centum (4%) per annum upon the unpaid balance.

c. Payable as follows:

Payment.

(1) In monthly or quarterly installments of interest, the first of which shall be payable not less than six months after the making of the loan and the last of which shall be payable not exceeding six years from the date of the obligation; and

(2) In monthly or quarterly installments of principal, the first of which shall be payable not less than twelve months after the making of the loan and the last of which shall be payable not exceeding six years from the date of the obligation; except, however, that any veteran at his option, may, on such form as the commissioner shall prescribe, waive the grace period, or any part thereof, herein provided him for the payment of the first installment of interest, or the grace period, or any part thereof, herein provided him for the payment of the first installment of principal, or both.

d. Be secured only by the personal liability of the maker, and not by any endorsers, comakers, collateral or other security; except that in accordance with such rules and regulations as prescribed by the commissioner, where the maker is married endorsement of the spouse may be required, and where the loan, or any part thereof, is made to finance the purchase or improvement of any property a lien on such property may be required. Security.

Where the loan, or any part thereof, is made to finance the purchase or improvement of any property to be used by the veteran and any other person or persons in a business or profession to be conducted by them as partners, and a lien on such property is required pursuant to the rules and regulations of the commissioner, the instrument creating such lien may, pursuant to regulations prescribed by the commissioner, be required to be made and executed by such partners, individually and as copartners doing business under their trade Lien instrument.

name. Notwithstanding the provisions of any other law to the contrary every such lien instrument, properly recorded, shall be valid and effective against all creditors of such partnership.

Section
amended.

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

C. 38:23B-12.1.
Household
loan.

10. Each loan to finance the purchase of household furnishings or household appliances, or both, made under this act shall:

Note.

a. Be evidenced by a note or notes or other obligation approved by the commissioner.

Interest.

b. Bear interest at a rate not exceeding four per centum (4%) per annum upon the unpaid balance.

Payment.

c. Be payable in monthly or quarterly installments of principal and interest, the first of which shall be payable not less than three months after the making of the loan and the last of which shall be payable not exceeding two years from the date of the obligation; except, however, that any veteran at his option, may, on such form as the commissioner shall prescribe, waive the grace period, or any part thereof, herein provided him for the payment of the first installment of principal and interest.

Security.

d. Be secured only by the personal liability of the maker, and not by any endorsers, comakers, collateral or other security; except that a lien on the property purchased with the proceeds of the loan shall be required, and, in accordance with such rules and regulations as prescribed by the commissioner, where the maker is married endorsement of the spouse may be required.

Section
amended.

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

C. 38:23B-17.
Counsellors.

17. The commissioner shall establish in each community where there may be a need, a business counseling service of nonsalaried counsellors, to advise with and assist veterans who apply for or obtain business loans under this act. Such coun-

sellors shall be persons of proved business judgment and established reputation in the community, and shall be designated by the commissioner.

4. Section eighteen of chapter one hundred twenty-six of the laws of one thousand nine hundred and forty-four is amended to read as follows:

Section
amended.

18. The commissioner shall, through the business counsellors, consult with veterans applying for business loans for the purpose of approving or disapproving such loans. Business counsellors shall from time to time visit the place of business or profession of veterans using business loans under this act, and shall supervise the uses of such loans, advise and assist the veteran with respect to the business or profession, and perform such other duties as the commissioner may delegate to them.

C. 38:23B-18.
Counsellor's
duties.

5. This act shall take effect immediately.

Approved May 23, 1947.

CHAPTER 191

AN ACT to authorize the deduction from the tax payable under chapter four of the laws of one thousand nine hundred and forty of certain taxes payable under the Corporation Business Tax Act (1945), and to amend "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 autobusses or autocabs commonly called taxicabs," passed January twenty-third, one thousand nine hundred and forty (P. L. 1940, c. 4), as said title was amended by chapter four hundred of the laws of one thousand nine hundred and forty-one.

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

Section
amended.

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

C. 54:30A-18.
Annual
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 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 fran-

chise or authority or permission from the State or any municipality thereof, except consent, authority or permission for the operation of autobusses 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%). Where any taxpayer hereunder owns all of the capital stock of a subsidiary corporation taxable under the Corporation Business Tax Act (1945), the taxpayer may deduct from the tax otherwise payable hereunder such proportion, not exceeding fifty per centum (50%), of the franchise tax payable by the subsidiary for the same year as the subsidiary's taxable net worth is to its entire net worth under said act.

Computing
tax.

2. This act shall take effect immediately.

Approved May 24, 1947.

CHAPTER 192

AN ACT to supplement "An act fixing the term of office of tax assessors in the several municipalities of this State," approved June sixteenth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 386).

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

C. 40:46-6.13.
Submitted
to voters.

Term.

1. Whenever in any city of the second class having a population of less than fifty thousand inhabitants the question of abolishing the board of assessors or the office of tax assessor, one for each ward of the city, and for the appointment of a single tax assessor and assistants to the tax assessor, shall be submitted to the voters by a resolution of the governing body passed prior to July first in any year, the term of any tax assessor to be appointed on the said July first shall be for one year instead of four years as provided in the act to which this act is a supplement.

2. This act shall take effect immediately.
Approved May 26, 1947.

CHAPTER 193

AN ACT relating to boards of tax assessors and tax assessors, one for each ward in certain cities of the second class, and the appointment of a single tax assessor and assistants, subject to a referendum vote, 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 any second-class city having a population of less than fifty thousand inhabitants, wherein it is now required to appoint a board of assessors or tax assessors, one for each ward of such city, the said board of assessors of taxes, or the office of tax assessors, one for each of the wards of such city, may be abolished, and there may be appointed in their stead one tax assessor for the whole of such city and assistants to the tax assessor as provided in this act. C. 40:171-180.1.
Tax assessors.

2. This act shall be operative upon its effective date but its provisions shall remain inoperative in any such city until the legal voters of such city have adopted its provisions at a general election. C. 40:171-180.2.
Act operative.

3. Upon the adoption of the provisions of this act by the legal voters as herein provided, the board of tax assessors, or the office of tax assessors, one for each ward of such city, shall be abolished from and after the thirtieth day of June next following the adoption of this act by the legal voters of such city, and there shall be appointed by the governing body of such city, one tax assessor and such assistants to the tax assessor as provided in this act. C. 40:171-180.3.
Office abolished.

4. The tax assessor and assistants to the tax assessor shall be citizens and residents of the city. The tax assessor shall perform all the duties imposed by law upon tax assessors in cities of the C. 40:171-180.4.
Qualifications.

- Appointment, term. second class. The tax assessor shall be appointed by the governing body of such city and his term of office shall be for the period as provided in chapter three hundred eighty-six of the laws of one thousand nine hundred and thirty-eight.
- C. 40:171-180.5. Term to begin July 1. 5. The term of office of the tax assessor first appointed in any city pursuant to this act shall commence on the first day of July next following the adoption of this act by the legal voters of the city.
- Vacancy. Any vacancy in the office of tax assessor shall be filled in the same manner as an appointment for a full term, but for the unexpired term only.
- C. 40:171-180.6. Number of assistants, salary. 6. The number of assistants to the tax assessor and their terms and salary or compensation and the salary or compensation of the tax assessor shall be fixed by ordinance enacted by the governing body.
- C. 40:171-180.7. Referendum. 7. The governing body of any such city may, by resolution, direct that the question of the adoption of this act be submitted to the legal voters of such city at a general election and the procedure thereafter shall be as set forth in sections 19:3-2 to 19:3-6 of the Revised Statutes, inclusive, insofar as the same may be applicable, and this act may be adopted by the majority of the voters voting on the question.
- C. 40:171-180.8. Act effective. 8. This act shall take effect immediately subject to the provisions of section two.

Approved May 26, 1947.

CHAPTER 194

AN ACT in relation to the reissuance of bonds of counties and municipalities, and amending section 40:1-57 of the Revised Statutes.

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

1. Section 40:1-57 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 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. Application of section.

(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. Registration, conversion, reconversion, reissuance.

(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.

(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.

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.

(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.

(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.

(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.

(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 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.

(8) The governing body of any county or municipality may, by resolution, authorize the issuance of, and may issue, a new coupon bond to replace any outstanding bond prior to its maturity. The new coupon bond shall be of substantially the same form and tenor as the outstanding bond, except that (a) the new bond may be a bond payable to bearer with two or more coupons attached for the payment to the several bearers thereof of a portion of each installment of the interest to become due thereon at or prior to the maturity thereof, (b) the rate or rates of interest on the new bond and the aggregate amount of any installment of interest to become due thereon at or prior to the maturity thereof may be less than such rate and aggregate amount, respectively, with regard to the outstanding bond, and (c) the new bond shall be signed by such officers in office at the time such new bond is issued and the new coupons shall bear the

facsimile signature of such financial officer, as the governing body may determine, and (d) the new bond may be made registerable either as to principal only, or as to both principal and all interest payable thereon, or as to both principal and the interest represented by any particular coupon or coupons. There shall be endorsed on the new bond substantially the following statement "This bond has been revised as to form and reissued as of the day of , 19 ," in which statement shall be inserted the date of issuance of the new bond or any earlier date not previous to the last preceding date of payment of interest on the outstanding bond. A new bond shall not be issued pursuant to this section unless the outstanding bond shall be presented and surrendered with a written request for its reissuance and shall be issued only upon such terms and conditions not inconsistent with this section as the resolution authorizing the issuance of such new bond may prescribe. The owner of the outstanding bond shall pay the reasonable costs of issuing the new bond. Upon effecting the issuance of the new bond, the officer effecting the same shall execute a certificate identifying the bond, and shall file such certificate in the office of the clerk or other officer having custody of the minutes of the governing body.

2. This act shall take effect immediately.

Approved May 26, 1947.

CHAPTER 195

AN ACT relative to the establishment of reserve funds to provide for the payment of outstanding bonds of counties and municipalities and the appropriation of available unappropriated funds to such reserve funds and the investment of moneys held in such reserve funds, and supplementing chapter one of Title 40 of the Revised Statutes.

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

1. The governing body of any county or any municipality, by resolution, may, at any time, establish a reserve fund to provide for the payment of the principal of outstanding bonds described in such resolution, and appropriate any unappropriated funds arising from other than tax sources to such reserve fund; *provided*, a certified copy of such resolution shall be submitted to the local government board of the Division of Local Government in the State Department of Taxation and Finance and the said local government board may, by resolution, determine that it is satisfied by proofs submitted to it that such funds then are available to meet such appropriation, and consent to such appropriation. Any resolution establishing such a reserve fund shall be irrevocable so long as the bonds described therein shall remain outstanding and unpaid. Any funds so appropriated by such a resolution shall be paid into the reserve fund established by the resolution and, until all of the bonds described in the resolution are paid and discharged, may be withdrawn from such reserve fund only for the purpose of paying the principal of such bonds. Pending the maturity or maturities of such bonds, any moneys held in any such reserve fund may be invested, reinvested and kept

C. 40:1-60.3.
Reserve fund.

Proviso.

Resolution
irrevocable.

invested in unlimited obligations issued by the United States of America, or bonds of the State of New Jersey, or bonds or negotiable notes issued by such county or municipality, or unmatured interest coupons appurtenant to and detached from bonds issued by such county or municipality. The resolution establishing a reserve fund shall contain such further provisions as the said local governing board may require or approve as to the deposit, securing, regulation, investment, reinvestment, disposition and application of the moneys held in such reserve fund, and any matters in connection therewith, including the officer or officers to be responsible therefor.

2. This act shall take effect immediately.

Approved May 26, 1947.

CHAPTER 196

AN ACT concerning surrogates, and amending section 2:7-19 of the Revised Statutes.

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

Section
amended.

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

Salaries,
surrogates.

2:7-19. The surrogates shall receive, in lieu of all other compensation, annual salaries as follows:

In counties having a population exceeding three hundred thousand inhabitants, ten thousand dollars (\$10,000.00);

In counties having a population of between two hundred thousand and three hundred thousand inhabitants, eight thousand dollars (\$8,000.00);

In counties having a population of between one hundred seventy-five thousand and two hundred thousand inhabitants, seventy-five hundred dollars (\$7,500.00);

In counties having a population of between eighty-two thousand and one hundred seventy-five thousand inhabitants, seventy-five hundred dollars (\$7,500.00);

In counties having a population of between sixty-two thousand and eighty-two thousand inhabitants, six thousand dollars (\$6,000.00);

In counties having a population of between fifty thousand and sixty-two thousand inhabitants, five thousand dollars (\$5,000.00);

In counties having a population of between forty-eight thousand and fifty thousand inhabitants, forty-five hundred dollars (\$4,500.00);

In counties having a population of less than forty-eight thousand inhabitants, except certain counties bordering on the Atlantic ocean, thirty-five hundred dollars (\$3,500.00);

In counties bordering on the Atlantic ocean now or hereafter having a population of not less than thirty thousand and not more than one hundred thousand inhabitants, five thousand dollars (\$5,000.00);

In counties bordering on the Atlantic ocean now or hereafter having a population of less than thirty thousand inhabitants, four thousand dollars (\$4,000.00) which annual salary may be increased to five thousand dollars (\$5,000.00) by resolution of the board of chosen freeholders.

2. This act shall take effect immediately.

Approved May 27, 1947.

CHAPTER 197

AN ACT concerning sheriffs, and amending section
40:41-6 of the Revised Statutes.

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

Section
amended.

1. Section 40:41-6 of the Revised Statutes is amended to read as follows:

Salaries,
sheriffs.

40:41-6. The sheriffs shall receive, in lieu of all other compensation, annual salaries as follows:

In counties having a population exceeding three hundred thousand inhabitants, eleven thousand dollars (\$11,000.00);

In counties having a population of between two hundred thousand and three hundred thousand inhabitants, eight thousand dollars (\$8,000.00);

In counties having a population of between one hundred seventy-five thousand and two hundred thousand inhabitants, seventy-five hundred dollars (\$7,500.00);

In counties having a population of between eighty-two thousand and one hundred seventy-five thousand inhabitants, seventy-five hundred dollars (\$7,500.00);

In counties having a population of between sixty-two thousand and eighty-two thousand inhabitants, six thousand dollars (\$6,000.00);

In counties having a population of between fifty thousand and sixty-two thousand inhabitants, five thousand dollars (\$5,000.00);

In counties having a population of between forty-eight thousand and fifty thousand inhabitants, forty-five hundred dollars (\$4,500.00);

In counties having a population of less than forty-eight thousand inhabitants, except certain counties bordering on the Atlantic ocean, thirty-five hundred dollars (\$3,500.00);

In counties bordering on the Atlantic ocean now or hereafter having a population of not less than

thirty thousand and not more than one hundred thousand inhabitants, five thousand dollars (\$5,000.00);

In counties bordering on the Atlantic ocean now or hereafter having a population of less than thirty thousand inhabitants, four thousand dollars (\$4,000.00) which annual salary may be increased to five thousand dollars (\$5,000.00) by resolution of the board of chosen freeholders.

2. This act shall take effect immediately.

Approved May 27, 1947.

CHAPTER 198

AN ACT concerning county clerks, and amending section 40:38-5 of the Revised Statutes.

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

1. Section 40:38-5 of the Revised Statutes is amended to read as follows: Section amended.

40:38-5. The county clerks shall receive, in lieu of all other compensation, annual salaries as follows: Salaries, county clerks.

In counties having a population exceeding three hundred thousand inhabitants, ten thousand dollars (\$10,000.00);

In counties having a population of between two hundred thousand and three hundred thousand inhabitants, eight thousand dollars (\$8,000.00);

In counties having a population of between one hundred seventy-five thousand and two hundred thousand inhabitants, seventy-five hundred dollars (\$7,500.00);

In counties having a population of between eighty-two thousand and one hundred seventy-five thousand inhabitants, seventy-five hundred dollars (\$7,500.00);

In counties having a population of between sixty-two thousand and eighty-two thousand inhabitants, six thousand dollars (\$6,000.00);

In counties having a population of between fifty thousand and sixty-two thousand inhabitants, five thousand dollars (\$5,000.00);

In counties having a population of between forty-eight thousand and fifty thousand inhabitants, forty-five hundred dollars (\$4,500.00);

In counties having a population of less than forty-eight thousand inhabitants, except certain counties bordering on the Atlantic ocean, thirty-five hundred dollars (\$3,500.00);

In counties bordering on the Atlantic ocean now or hereafter having a population of not less than thirty thousand and not more than one hundred thousand inhabitants, five thousand dollars (\$5,000.00);

In counties bordering on the Atlantic ocean now or hereafter having a population of less than thirty thousand inhabitants, four thousand dollars (\$4,000.00) which annual salary may be increased to five thousand dollars (\$5,000.00) by resolution of the board of chosen freeholders.

2. This act shall take effect immediately.

Approved May 27, 1947.

CHAPTER 199

AN ACT concerning the granting by municipalities of consent to the use of streets, avenues, parks, parkways, and other public places, and amending section 48:3-17 of the Revised Statutes.

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

1. Section 48:3-17 of the Revised Statutes is amended to read as follows: Section amended.

48:3-17. The provisions of this article are in addition to other conditions imposed by law.

This article shall not apply to any railroad company, or to the giving of consent by one municipality for the use of any of its streets, either above, below or on the surface thereof, to another municipality for the laying therein of municipal water mains, upon obtaining such consent in the manner provided by law. Construction.

This article shall not apply to any consent which is subject to approval by the Board of Public Utility Commissioners pursuant to this Title. Exception.

2. This act shall take effect immediately.

Approved May 27, 1947.

CHAPTER 200

AN ACT concerning civil service, and amending section 11:22-20 of the Revised Statutes.

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

Section
amended.

Certification
of payrolls.

1. Section 11:22-20 of the Revised Statutes is amended to read as follows:

11:22-20. No comptroller or other fiscal officer of a county, municipality or school district operating under this subtitle shall draw, sign or issue a warrant on the treasurer or any other disbursing officer thereof for the payment of salary or compensation to any officer, clerk, employee, or other person in the classified service, unless the chief examiner and secretary has approved and notified in writing the respective appointing authority that the person or persons named in said warrant have been appointed, employed, reinstated or promoted in pursuance of law and of the rules made in accordance with this subtitle. The appointing authority shall certify to the comptroller or other fiscal officer of the respective county, municipality or school district operating under this subtitle that persons to be paid for the current payroll period have been given such approval by the commission. The responsibility for paying an employee illegally shall rest with the appointing authority.

Appointing
authority
liable.

2. This act shall take effect immediately.

Approved May 27, 1947.

CHAPTER 201

AN ACT concerning the civil service of the State, amending sections 11:6-2 and 11:16-1 and supplementing chapter fourteen of the Revised Statutes.

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

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

11:6-2. The chief examiner and secretary shall also: Duties, chief examiner and secretary.

a. Establish and maintain a roster of the employees in the State classified service, showing for each employee the title of the position held, the rate of compensation, and change in his status, including increases and decreases in pay, changes in title, transfers and other facts which he may consider desirable and pertinent;

b. Ascertain and record the duties, responsibilities, and authority pertaining to all positions in the State classified service and classify the positions in the manner hereinafter provided;

c. Make a study of the rates paid for each class of positions in the State classified service, for similar or comparable services elsewhere and of other information and data pertaining to proper rates of compensation, and prepare, after consultation with appointing authorities and their principal assistants, a report to the commission setting forth a schedule of compensations for each class of positions with a minimum and a maximum salary rate and such intermediate salary rates as he may consider necessary and equitable, and shall, from time to time as he may consider necessary, and in any case at intervals not to exceed three years, make additional compensation studies of such service and recommendations to the commission;

d. Regulate, upon the adoption by the commission of the schedule of compensation as recommended or modified for any class in the classified service as provided by paragraph "c" of this section, and under rules and regulations adopted and approved as herein provided, the compensation of employees in such service within the limits fixed by law and subject to the appropriation of funds;

e. Test and pass, in the manner hereinafter provided, upon the qualification of applicants for appointment to or promotion in the State classified service, and establish employment and re-employment lists for the various classes; certify the names of persons eligible for employment, promotion or re-employment, upon the requests from the appointing authorities or indication of the need for additional employees, as evidenced by the presence of temporary employees, or request for the authorization for a temporary or provisional appointment in any class; devise, install and administer service rating systems and training courses; arrange for and pass upon transfers; regulate annual sick and special leaves of absence; hours of work, attendance and payments for overtime in accordance with the provisions of the rules and regulations established under this subtitle, and see that layoffs, demotions, suspensions, removals, retirements and other separations are made in accordance with this subtitle;

f. Establish procedures in co-operation with the State Treasurer and Comptroller for the checking and certifying of payrolls, estimates and accounts for payment to employees in the State classified service.

C. 11:14-3.
Record of
leaves.

2. The several appointing authorities shall keep records of sick, vacation, military and special leaves with and without pay provided for in sections 11:14-1 and 11:14-2. Such records shall be in a form approved by the president and may be inspected at any time by the president or chief examiner and secretary or the authorized agent of either.

3. Upon transfer of an employee within the State service it shall be incumbent upon the appointing authority whose service he leaves to certify to the new appointing authority all accumulated sick and vacation leave which may be due said employee.

C. 11:14-4.
To certify
accumulated
leave.

4. Upon separation of an employee from the State Service, the accumulated sick and vacation leave of said employee shall be certified by his appointing authority to the chief examiner and secretary and made a part of such employee's record.

C. 11:14-5.
Leave made
part of record.

5. Section 11:16-1 of the Revised Statutes is amended to read as follows:

Section
amended.

11:16-1. The State Treasurer, Comptroller or any paymaster, warrant officer or other State disbursing or auditing officer shall not pay or approve or be concerned with the paying or approving of any salary or compensation for service to any person holding a permanent or temporary position in the classified service unless the chief examiner and secretary, or his authorized agent, has approved and notified in writing the respective appointing authority that the person has been appointed, employed and has been or is performing service in accordance with this subtitle and the rules and regulations made thereunder. The appointing authority shall certify to the State Treasurer, Comptroller or any paymaster, warrant officer or other State disbursing or auditing officer that persons to be paid for the current payroll period have been given such approval by the chief examiner and secretary. The responsibility for paying an employee illegally shall rest with the appointing authority.

Payroll
certified before
payment.

If the appointing authority withholds certification of the payroll or account of any State employee entitled to have his pay certified as having been appointed or employed in pursuance of this subtitle and the rules and regulations made thereunder, such employee may maintain a proceeding by mandamus to compel the certification of the payroll or account presented in his favor.

Mandamus
to compel
certification.

6. This act shall take effect immediately.

Approved May 27, 1947.

CHAPTER 202

AN ACT concerning officers in charge of court attendants in counties of the first class, and supplementing article seven of chapter sixteen of Title 2 of the Revised Statutes.

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

C. 2:16-39.1.
Court
attendants,
appointment.

Promotions.

Salary.

Duties.

C. 2:16-39.2.
Exception.

1. The sheriff of each county of the first class in the State shall have power, by and with the consent of the board of chosen freeholders, to appoint not more than four persons as officers in charge of court attendants. The positions of officers in charge shall be filled only by promotion from the personnel of court attendants in accordance with civil service laws and regulations. The compensation of such officers in charge shall be fixed by the board of chosen freeholders on recommendation of the sheriff, but shall not exceed the sum of five hundred dollars (\$500.00) in excess of the fixed maximum of salaries of court attendants. Such officers in charge shall be assigned such duties and responsibilities of supervision of court attendants, and such other related work in the office of the sheriff as the sheriff shall from time to time prescribe.

2. This act shall not affect in any manner appointments of officers in charge of court attendants, heretofore made in counties of the first class.

3. This act shall take effect immediately.

Approved May 27, 1947.

CHAPTER 203

AN ACT to amend "An act prescribing a standard form of fire insurance policy, endorsements and supplemental contracts, and repealing sections 17:36-3, 17:36-4, 17:36-5 and 17:36-7 of the Revised Statutes," approved April twentieth, one thousand nine hundred and forty-four (P. L. 1944, c. 171).

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

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

Section
amended.

5. Appropriate forms of supplemental contract or contracts or extended coverage endorsements whereby the interest in the property described in such policy shall be insured against one or more of the perils which the insurer is empowered to assume, in addition to the perils covered by said standard fire insurance policy; also, riders and endorsements whereby the insurer agrees to reimburse and indemnify the insured for the difference between the actual value of the insured property at the time any loss or damage occurs and the amount actually expended to repair, rebuild or replace with new materials of like size, kind and quality, such property as has been damaged or destroyed by fire or other perils insured against, may be approved by the Commissioner of Banking and Insurance, and their use in connection with the standard fire insurance policy may be authorized by him. The first page of the policy may in form approved by the Commissioner of Banking and Insurance be rearranged to provide space for the listing of amounts of insurance, rates and premiums for the basic coverages insured under the standard form of policy, and for additional coverages or perils insured under endorsements

C. 17:36-5.5.
Approval
of extended
coverage
endorsements.

attached, and such other data as may be conveniently included for duplication on daily reports for office records.

2. This act shall take effect immediately.

Approved May 27, 1947.

CHAPTER 204

AN ACT concerning civil service, and supplementing subtitle two of Title 11 of the Revised Statutes.

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

Classification
of employees.

1. The unclassified employees of the State Department of Agriculture, Bureau of Plant Industry, who for a period of ten years have held and are holding any position or employment therein at the time of the passage of this act, shall, by the Civil Service Commissioner be classified as employees in the competitive class of the civil service, without examination, and such persons shall thereafter be subject to all the provisions of Title 11 of the Revised Statutes with respect to tenure, classification and compensation.

2. This act shall take effect immediately.

Approved May 27, 1947.

CHAPTER 205

AN ACT fixing the compensation of court attendants in counties of the first class in this State, and amending section 2:16-39 of the Revised Statutes.

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

1. Section 2:16-39 of the Revised Statutes is amended to read as follows: Section amended.

2:16-39. In each county of the first class, the salaries of the court attendants attached or assigned to the Supreme Court circuit, the Circuit Court, the court of common pleas, the court of oyer and terminer, and the court of quarter sessions, and to the grand jury, and to the various bureaus and departments in the office of the sheriffs of said counties, or to such executive or official as may be in charge of such duties, shall be not less than two thousand dollars (\$2,000.00) per annum and shall not exceed three thousand six hundred dollars (\$3,600.00) per annum, with provision for increments in salary between the minimum and maximum of such salaries to be fixed by the board of chosen freeholders on recommendation of the sheriff; which shall be in full and in lieu of all fees, mileage or other allowances allowed for the service of processes and duties as court attendants, and shall be paid in equal semimonthly installments by the county treasurer of each of such counties from the judiciary fund of the county. If, during the fiscal year in which this act shall be adopted, any board of chosen freeholders shall not have made sufficient provision in its annual budget for the full payment of such salaries during such fiscal year said board may appropriate and use any county funds not otherwise appropriated or dedicated, or may appropriate and raise such funds as may be Salaries, court attendants.

necessary for such purpose during such fiscal year and may borrow the same, or any part thereof, on the credit of the county, and may issue obligations therefor in the same manner as other similar obligations are issued.

Construing.

This section shall not be construed as permitting the decrease of any salaries authorized by law to be paid to any of the court attendants affected by this section nor decrease the amount of each increment now being paid; nor shall this section affect in any way the provisions of section 2:16-31 or section 2:16-32 of this Title, fixing the salaries of the sergeants-at-arms and the court criers of the Supreme Court the sergeants-at-arms of the Circuit Court and the sergeants-at-arms and the court criers of the court of common pleas in counties of the first class.

Approved May 27, 1947.

CHAPTER 206

AN ACT relating to mortgages of real estate or chattels or both made to husband and wife.

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

C. 46:2D-1.
Joint tenants.

1. When any mortgage, covering real estate or chattels or both, shall hereafter be made and executed to any husband and wife, the mortgage shall be held by such husband and wife as joint tenants and not as tenants in common, both as to the legal estate and the beneficial interest or debt thereby secured, unless otherwise therein provided.

2. This act shall take effect immediately.

Approved May 28, 1947.

CHAPTER 207

AN ACT concerning the importation of cattle into New Jersey, and amending sections 4:5-28, 4:5-54, 4:5-58, 4:5-59, 4:5-61 and 4:5-72 of the Revised Statutes.

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

1. Section 4:5-28 of the Revised Statutes is amended to read as follows: Section amended.

4:5-28. In order for animals imported into New Jersey to be eligible for appraisalment and indemnity the following conditions must be satisfied: Requirements:

a. The animal shall at the time of entry be accompanied by a tuberculin test chart showing compliance with the New Jersey State Board of Agriculture regulations governing the interstate movement of cattle; except that cattle imported from specific areas designated by the Board of Agriculture as provided in section 4:5-54 of this Title need not comply with this paragraph. Tuberculin test;

b. The animal shall at the time of entry be accompanied by a health chart approved by the chief regulatory official of the point of origin stating that the herd from which it came was fully accredited, or a negative herd in a modified accredited area and was not under quarantine for any infectious disease, tuberculosis included, and that all the animals in the herd in which the animal originated had on the last tuberculin test conducted under official supervision passed without evidence of reaction; except that cattle imported from specific areas designated by the Board of Agriculture as provided in section 4:5-54 of this Title need not comply with this paragraph. Health chart;

c. The owner of the animal shall furnish, upon request, proof that it has been owned and maintained within the State of New Jersey for a period Ownership;

	of sixty days prior to the time of being declared tuberculous.
N. J. test.	d. The animal shall have passed an authorized tuberculin test after entry into New Jersey.
Section amended.	2. Section 4:5-54 of the Revised Statutes is amended to read as follows:
Tuberculin test required.	4:5-54. The importation of cattle into this State is hereby prohibited, except as provided in section 4:5-69 of this Title, unless such cattle have passed a tuberculin test within thirty days immediately prior to their importation; <i>except, however</i> , that when the State Board of Agriculture has knowledge of specific areas that are sufficiently free of tuberculosis to warrant an exception to this requirement, the board may designate such areas as sources from which cattle may be imported without such test prior to importation, but all cattle imported from such designated area shall be accompanied by a health certificate approved by the chief regulatory official of the point of origin showing the number of animals shipped and certifying that they originated in a modified accredited area and are free from and have not been exposed to contagious, infectious or parasitic diseases, and upon arrival in New Jersey such cattle shall be held in quarantine until officially tuberculin tested at the owner's expense and released by the department.
Exception.	
Section amended.	3. Section 4:5-58 of the Revised Statutes is amended to read as follows:
Certificate to accompany herd.	4:5-58. Cattle imported into this State, excepting those for immediate slaughter as specified in section 4:5-69 of this Title, shall be accompanied by the certificate of tuberculin test prescribed in section 4:5-59 of this Title, or by the health certificate prescribed in section 4:5-54, the certificate to be in the possession of the attendant or drover bringing the cattle into this State or, if the importation is by common carrier, in the possession of the agent of the common carrier having charge of the importation.
Certificate displayed.	All such attendants, drovers or agents shall be required to show the certificate of tuberculin test or the health certificate upon request of any officer

or agent of the department and to satisfy such officer or agent that the provisions of this article are being complied with.

4. Section 4:5-59 of the Revised Statutes is amended to read as follows: Section amended.

4:5-59. The certificate of tuberculin test shall contain the following information: Contents of certificate.

a. The number of cattle to be brought in and the lines and route over which they are to travel;

b. The tag number, gender, breed, approximate age, color and markings of the animal;

c. The name and address of the person from whom the cattle were consigned, and the name and address of the consignee;

d. The date of the tuberculin test, and the kind of test made; and

e. The signature of the veterinarian making the test with a complete record of the same made in accordance with the method prescribed by the department, and such other information as may be deemed advisable.

5. Section 4:5-61 of the Revised Statutes is amended to read as follows: Section amended.

4:5-61. All cattle imported into this State, except those imported from areas designated by the board as provided in section 4:5-54 of this Title, and except those imported for immediate slaughter as specified in section 4:5-69 of this Title, shall bear a tag number or other mark of identification to be furnished or designated by the department. No two or more of such tags or marks used in the same shipment shall bear the same number. Tagging imported cattle.

6. Section 4:5-72 of the Revised Statutes is amended to read as follows: Section amended.

4:5-72. No common carrier shall transport cattle from any point outside of this State to any point within this State except for slaughter as prescribed in section 4:5-69 or unless they have a certificate of tuberculin test or a health certificate as prescribed in sections 4:5-54, 4:5-58, and 4:5-59. Carrier to require certificate.

7. This act shall take effect immediately.

Approved May 28, 1947.

CHAPTER 208

AN ACT to amend "An act concerning district courts, and supplementing chapter eight of Title 2 of the Revised Statutes," approved May second, one thousand nine hundred and forty-five (P. L. 1945, c. 278).

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

Section
amended.

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

C. 2:8-48.4.
Salaries.

4. The president judge shall receive an annual salary of not less than eight thousand five hundred dollars (\$8,500.00) or more than ten thousand five hundred dollars (\$10,500.00), and each of the other judges an annual salary of not less than eight thousand dollars (\$8,000.00), or more than ten thousand dollars (\$10,000.00), as shall be fixed by the board of chosen freeholders but none of said judges shall receive any additional salary for acting as judge of the division of small claims of such district court, which division shall be conducted by such judges personally and without references, and said judges shall devote their entire time to their duties and shall not engage in the practice of law.

2. This act shall take effect immediately.

Approved May 28, 1947.

CHAPTER 209

AN ACT concerning the State Employees' Retirement System of New Jersey, and amending section 43:14-4 of the Revised Statutes.

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

1. Section 43:14-4 of the Revised Statutes is amended to read as follows: Section amended.

43:14-4. A person who has been a member of the teachers' retirement fund and who has taken or shall take office, position or employment in the State service in any capacity and is now a member of the State employees' retirement system shall be entitled, upon application therefor, to prior service credit for the length of his membership in such fund in the State employees' retirement system or who shall become a member of the teachers' pension and annuity fund, and who has taken or shall take office, position or employment in the State service in any capacity, shall be entitled, upon application therefor, to membership in the retirement system, upon transferring his interests from the teachers' pension and annuity fund to the retirement system. If he has withdrawn his interests from the teachers' pension and annuity fund, he shall be entitled to membership in the retirement system upon paying into the latter fund such sum as shall be required by the trustees thereof for that purpose. For the purpose of carrying out the provisions of this section the trustees of the retirement system may make all necessary rules and regulations. Transfer of membership.

2. This act shall take effect immediately.
Approved May 28, 1947.

CHAPTER 210

AN ACT concerning the State Employees' Retirement System of New Jersey, and amending section 43:14-35 of the Revised Statutes.

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

Section
amended.

1. Section 43:14-35 of the Revised Statutes is amended to read as follows:

Retirement
because
of age.

43:14-35. Retirement from service shall be as follows:

a. A member who shall have reached sixty years of age may retire from service by filing with the board of trustees a written statement, duly attested, stating at what time subsequent to the execution and filing thereof he desires to be retired. The board of trustees shall retire him at the time specified or at such other time within thirty days after the date so specified as the board finds advisable.

Deemed
retired.

Any member who for a period of more than twenty years was in the service of the State and eligible for retirement under the provisions of this chapter, whose application for retirement from service was duly filed with the board of trustees, during the year nineteen hundred and thirty-seven or nineteen hundred and thirty-eight, but who died before the expiration of the time so specified for his said retirement, shall be deemed to have been retired as of the date of his said application, and payment hereunder shall be made to the person or persons nominated by his written designation to receive the benefits provided by this chapter. Such payments shall be made at the rate of eighteen hundred dollars (\$1,800.00) per annum in semimonthly installments.

b. A member who shall have reached seventy years of age shall be retired by the board for service forthwith, or at such time within ninety days

thereafter as it deems advisable, except that an employee reaching seventy years of age may be continued in service from time to time upon written notice to the board of trustees by the head of the department where the employee is employed.

2. This act shall take effect immediately.

Approved May 28, 1947.

CHAPTER 211

AN ACT concerning the State Employees' Retirement System of New Jersey, and supplementing chapter fourteen of Title 43 of the Revised Statutes.

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

1. Any person employed temporarily by the State and whose temporary employment resulted in permanent employment shall be permitted to make contributions covering this temporary service in accordance with the rules and regulations of the board of trustees and receive the same annuity and pension credits as if he had been a member during his temporary service.

C. 43:14-2.9.
May have
temporary
service
credited.

2. This act shall take effect immediately.

Approved May 28, 1947.

CHAPTER 212

AN Act to amend and supplement "An act fixing the compensation of guards, keepers, orderlies and industrial officers in the county jails, houses of detention and penitentiaries in counties of the first class in this State," approved March thirtieth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 54), as the title of said act was amended by chapter one hundred thirty-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*:

Section
amended.

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

C. 30:8-13.1.
Salaries.

1. In each county of the first class, the salaries of the guards, keepers, industrial officers and guard orderlies employed in the jails, houses of detention and penitentiaries, shall be not less than two thousand dollars (\$2,000.00) per annum and shall not exceed thirty-six hundred dollars (\$3,600.00) per annum, with provision for increments in salary between the minimum and maximum of such salaries to be fixed by the board of chosen freeholders on recommendation of the sheriff or warden of the jail or penitentiary, as the case may be.

Construing.

This section shall not be construed to permit the decrease of any salaries now authorized by law to be paid to any of the guards, keepers, industrial officers and guard orderlies affected by this section nor decrease the amount of each increment now being paid.

Funds for
payment.

2. If, during the fiscal year in which this act shall be adopted, any board of chosen freeholders shall not have made sufficient provision in its annual budget for the full payment of such salaries

during such fiscal year, said board may appropriate and use any county funds not otherwise appropriated or dedicated, or may appropriate and raise such funds as may be necessary for such purpose during such fiscal year and may borrow the same, or any part thereof, on the credit of the county, and may issue obligations therefor in the same manner as other similar obligations are issued.

3. This act shall take effect immediately.

Approved May 28, 1947.

CHAPTER 213

AN ACT providing for the separation of children from adult prisoners, and amending section 9:18-25 of the Revised Statutes.

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

1. Section 9:18-25 of the Revised Statutes is amended to read as follows: Section amended.

9:18-25. No child under the age of sixteen years coming within the provisions of this subtitle shall be placed in any prison, jail, lockup, or police station. Separation of children from adult prisoners.

A child between the ages of sixteen and eighteen years coming within the provisions of this subtitle shall not be placed in any prison, jail, lockup or police station unless there shall be no other safe and suitable place for his detention, and that it is necessary for his protection or the protection of the public, and unless when so placed in a jail, lockup or police station it shall be in a segregated section of such premises where the said child cannot have contact with any adult convicted of crime or under arrest.

- Construing.** Nothing in this section shall be construed as forbidding any peace officer from immediately taking into custody any child who is found violating any law or ordinance or whose conduct or surroundings are such as to endanger his welfare. In every case, the officer taking the child into custody shall proceed as specified in section 9:18-24 of this subtitle.
- Transporting.** When a child shall have been taken into custody, he may be transported to his home, or to the place of detention or other place designated by the court, in a radio patrol car, or other vehicle not specifically intended for the transportation of adults under arrest.
- Act effective.** 2. This act shall take effect July first, one thousand nine hundred and forty-eight.
Approved May 28, 1947.

CHAPTER 214

AN Act concerning boards of chosen freeholders.
and amending section 40:23-6 of the Revised Statutes.

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

- Section amended.** 1. Section 40:23-6 of the Revised Statutes is amended to read as follows:
- Membership in association.** 40:23-6. The board of chosen freeholders may expend a sum not in excess of five hundred dollars (\$500.00) in any one year for membership in any association composed exclusively of boards of chosen freeholders.
2. This act shall take effect immediately.
Approved May 28, 1947.

CHAPTER 215

AN ACT to validate marriages heretofore solemnized by judges of courts of record who were not at the time of such solemnization authorized to solemnize marriages.

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

1. All marriages heretofore solemnized by any judge of a court of record in this State, who was not at the time of such solemnization authorized to solemnize marriages, if otherwise valid, shall be as valid as if the same had been solemnized by a person authorized to solemnize marriages. Marriage validated.

2. This act shall take effect immediately.

Approved May 28, 1947.

CHAPTER 216

AN ACT concerning superintendents of county lunatic asylums or county hospitals for mental diseases.

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

1. Any superintendent of any county lunatic asylum or county hospital for mental diseases who has served continuously for twenty-five years as such superintendent, may, on approval by the board of chosen freeholders, be retired upon pension of one-half of his or her salary at the time of retirement. C. 43:9-22.
May be retired on half pay.

2. Such superintendent shall be paid his or her annual pension for his or her natural life, com- C. 43:9-23.
Payment.

mencing with the date of retirement, at the rate of one-half the salary received at time of retirement, payment to be made semimonthly in the same manner as other county employees are paid.

3. This act shall take effect immediately.

Approved May 28, 1947.

CHAPTER 217

AN ACT to supplement "An act for the establishment of a police and firemen's retirement system for the police and firemen of a municipality, county or political subdivision thereof," approved May twenty-third, one thousand nine hundred and forty-four (P. L. 1944, c. 255).

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

C. 43:16A-13.1.
Member, board
of trustees.

1. The Deputy State Treasurer, when designated for that purpose by the State Treasurer, may sit as a member of the board of trustees constituted by the act to which this is a supplement, and when so sitting shall have all the powers and shall perform all the duties vested by said act in the State Treasurer.

2. This act shall take effect immediately.

Approved May 28, 1947.

CHAPTER 218

AN ACT concerning the appointment of the municipal manager in municipalities having municipal manager government, and amending section 40:82-2 of the Revised Statutes.

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

1. Section 40:82-2 of the Revised Statutes is amended to read as follows:

40:82-2. The municipal manager shall be a person, other than a member of the municipal council, fully qualified to exercise the powers and perform the duties hereinafter set forth. He need not be a resident of the municipality at the time of his appointment but shall become a resident thereof within three months after appointment and continue a resident throughout his period of service; *provided, however*, that in any municipality with a population of less than five hundred the municipal manager may reside outside of the municipality with the approval of the municipal council.

Approved May 28, 1947.

Section
amended.

Qualifications
municipal
manager.

Proviso.

CHAPTER 219

AN ACT concerning municipal aid to public libraries or 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*:

Section
amended.

1. Section 40:54-35 of the Revised Statutes is amended to read as follows:

Library fund.

40:54-35. The governing body of any municipality may appropriate and raise such sum of money, not exceeding fifteen thousand dollars (\$15,000.00) 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 meets the approval of the governing body of such municipality.

Proviso.

2. This act shall take effect immediately.

Approved May 28, 1947.

CHAPTER 220

AN ACT to amend "An act concerning criminal procedure," approved April twenty-ninth, one thousand nine hundred and forty-six (P. L. 1946, c. 187).

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

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

Section
amended.

5. The defendant in a criminal case shall take his appeal by notice. The notice shall be entitled in the court from which the appeal is taken. It shall be served upon the prosecutor of the pleas of the county wherein the final judgment of conviction was entered and be filed together with proof of service within the time limited by law with the clerk of said court. The said notice shall set forth a general statement of the nature of the offense of which the defendant was convicted, the date of the rendition of the judgment, the sentence imposed, and if the person who was convicted is in custody, the prison where he is so confined.

C. 2:195A-5.
Notice of
appeal.

The defendant shall serve a copy of his grounds of appeal upon the prosecutor of the pleas of the county wherein the final judgment of conviction was entered and file the original thereof together with proof of service thereof within thirty days from the date of the notice of appeal is filed with the clerk of the appellate court, unless the court wherein the final judgment of conviction was entered shall grant further time. In such case the appellant shall file his grounds of appeal and make service thereof within the further time so granted.

Service.

The Attorney-General or any prosecutor of the pleas, as the case may be, appealing from the Supreme Court to the Court of Errors and Appeals in a criminal case, shall take the appeal by notice en-

Appeal taken
by notice.

titled in the Supreme Court, which shall be served upon the defendant or his attorney who represented him in the Supreme Court, and be filed together with the proof of service thereof within the time limited by law with the Clerk of the Supreme Court.

Service.

The Attorney-General or any prosecutor of the pleas, as the case may be, shall serve a copy of the grounds of appeal upon the defendant or his attorney who represented him in the Supreme Court, and file the original thereof together with proof of service thereof within thirty days from the date that the notice of appeal is filed with the Secretary of State, unless the Supreme Court shall grant further time, in which case the filing of the grounds of appeal and proof of service thereof shall be made within the further time so granted.

2. This act shall take effect immediately.

Approved May 28, 1947.

CHAPTER 221

AN ACT to permit the governing bodies of townships to retire treasurers on pension, in certain cases.

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

C. 43:12-57.4.
May pension
treasurer.

1. The governing body of any township may retire any person, who has served as treasurer of the township continuously for twenty years and who has attained the age of seventy-four years, on pension in such amount not exceeding one thousand dollars (\$1,000.00) per annum as shall be determined by said governing body and provide for the payment of such pension.

2. This act shall take effect immediately.

Approved May 28, 1947.

CHAPTER 222

AN ACT validating certain decrees heretofore entered in the Court of Chancery in suits to quiet title.

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

1. All final decrees heretofore entered in the Court of Chancery of this State, in suits or actions instituted therein for the quieting of the title to real estate wherein the words "heirs, devisees and personal representatives and their or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title or interest" were omitted following the naming of the defendants and in the order of publication entered against the defendants the words "and their heirs, devisees and personal representatives and their or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title or interest" were omitted, shall be good, valid and sufficient in law and in equity for all purposes whatsoever, and any said lands, tenements, hereditaments and real estate decreed to belong to complainant by virtue of any such final decree shall be good, valid, effectual and legal and the present owner or owners, purchaser or purchasers of any such lands, tenements, hereditaments, real estate or other property whatsoever, having received a deed of conveyance therefor, based on said decree, he, she or they and his, her or their heirs, successors and assigns shall be deemed to have as good and complete title thereto as if the words "their heirs, devisees and personal representatives and their or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title or interest" had followed the names of the defendants; and such final decree and proceedings had thereon are hereby declared to be good,

Certain decrees
validated.

Proviso. valid, effectual and legal in all respects; *provided*, said decree has been entered and filed in the Court of Chancery of this State for more than twenty years last past and a certified copy of said decree recorded in the clerk's office of the county in which said premises are located, for more than fifteen years last past; *and provided further*, that no suit has been instituted either in law or equity or is now pending, by any of the heirs, devisees or personal representatives of the named defendants, or anyone claiming under them.

Proviso.

2. This act shall take effect immediately.

Approved May 28, 1947.

CHAPTER 223

AN ACT concerning the salaries of the prosecutors of the pleas in counties bordering on the Atlantic ocean now or hereafter having a population of less than thirty thousand inhabitants.

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

C. 2:182-10.1.
Salary.

1. The salary of the prosecutor of the pleas in any county bordering on the Atlantic ocean now or hereafter having a population of less than thirty thousand inhabitants may be increased to not more than five thousand dollars (\$5,000.00) per annum by resolution duly adopted by the board of chosen freeholders of the county.

2. This act shall take effect immediately.

Approved May 28, 1947.

CHAPTER 224

AN ACT permitting the city of Trenton, county of Mercer, State of New Jersey, to provide for the payment of a pension to Irvin Pinelli.

WHEREAS, Irvin Pinelli, a resident of the city of Trenton in the county of Mercer and State of New Jersey, has served the city in various capacities for over twenty-seven years, rendering excellent, efficient and faithful service to the city of Trenton, in the performance of his duties; and

Preamble.

WHEREAS, The said Irvin Pinelli has become incapacitated and is now disabled; and

Preamble.

WHEREAS, The city of Trenton does not have in force and effect any pension that would inure to the benefit of the said Irvin Pinelli; therefore,

Preamble.

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

1. The city of Trenton, in the county of Mercer and State of New Jersey, is authorized to grant and pay to Irvin Pinelli, for the remainder of his natural life, a pension to be effective upon the passage of this act, in the sum of one hundred dollars (\$100.00) per month, being one-half of his former monthly salary, which pension shall be paid in monthly installments.

Authorized to pay pension.

2. If said pension is granted, the said city of Trenton shall provide, in its annual budget after the passage of this act, for the payment to the said Irvin Pinelli 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 May 28, 1947.

CHAPTER 225

AN ACT permitting the city of Trenton, county of Mercer, State of New Jersey, to provide for the payment of a pension to B. Harrison Johnson.

- Preamble. WHEREAS, B. Harrison Johnson, 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 superintendent of streets for approximately twenty-five years, rendering excellent, efficient and faithful service to the city of Trenton, in the performance of his duties; and
- Preamble. WHEREAS, The said B. Harrison Johnson has become incapacitated and is now disabled; and
- Preamble. WHEREAS, The city of Trenton does not have in force and effect any pension that would inure to the benefit of the said B. Harrison Johnson; therefore

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

- Authorized to pay pension. 1. The city of Trenton, in the county of Mercer and State of New Jersey, is authorized to grant and pay to B. Harrison Johnson, for the remainder of his natural life, a pension to be effective upon the passage of this act, in the sum of one hundred twenty dollars and eighty-four cents (\$120.84) per month, being one-half of his former monthly salary, which pension shall be paid in monthly installments.
- Provision in budget. 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 B. Harrison Johnson of the aforementioned pension, and from the date of the passage of this act until the adoption of its next annual budget the city

shall pay such pension from any fund or funds available therefor.

3. This act shall take effect immediately.

Approved May 28, 1947.

CHAPTER 226

AN Act permitting the city of Trenton, county of Mercer, State of New Jersey, to provide for the payment of a pension to John Megules.

WHEREAS, John Megules, a resident of the city of Trenton in the county of Mercer and State of New Jersey, has served the city in various capacities for over seventeen years, rendering excellent, efficient and faithful service to the city of Trenton, in the performance of his duties; and

Preamble.

WHEREAS, The said John Megules has become incapacitated and is now disabled; and

Preamble.

WHEREAS, The city of Trenton does not have in force and effect any pension that would inure to the benefit of the said John Megules; therefore

Preamble.

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

1. The city of Trenton, in the county of Mercer and State of New Jersey, is authorized to grant and pay to John Megules, for the remainder of his natural life, a pension to be effective upon the passage of this act, in the sum of \$87.50 per month, being one-half of his former monthly salary, which pension shall be paid in monthly installments.

Authorized to pay pension.

2. If said pension is granted, the said city of Trenton shall provide, in its annual budget after the passage of this act, for the payment to the said John Megules of the aforementioned pension, and

Provision in budget.

from the date of the passage of this act until the adoption of its next annual budget the city shall pay such pension from any fund or funds available therefor.

3. This act shall take effect immediately.

Approved May 28, 1947.

CHAPTER 227

AN ACT concerning the approval and filing of maps of lands, and amending section 46:23-3 of the Revised Statutes.

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

Section
amended.

1. Section 46:23-3 of the Revised Statutes is amended to read as follows:

Prerequisites
to approval.

46:23-3. No map which, by the provisions of paragraph "e" of section 46:23-2 of this Title, is required to be approved by a municipality, shall be approved unless monuments of hard, durable material, having a depth of at least two and one-half feet, and at least six inches square at the top, shall be clearly shown and referenced on such map at the intersection of all streets and avenues shown thereon; *provided*, that the municipality may accept bond with sufficient surety from the person or corporation submitting said map for approval, in form and amount to be determined by the governing body of said municipality, conditioned upon the proper installation of said monuments upon the completion of the grading of the streets and roads shown on said map.

Proviso.

2. This act shall take effect immediately.

Approved May 28, 1947.

CHAPTER 228

AN ACT concerning the entry or enrollment of proceedings and decrees in causes in the Court of Chancery, certain employees thereof or of the office of the Clerk in Chancery, and amending sections 2:29-52, 2:29-54 and 2:29-56 of the Revised Statutes.

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

1. Section 2:29-52 of the Revised Statutes is amended to read as follows: Section amended.

2:29-52. When a cause shall be finally determined in the Court of Chancery, except where dismissed by consent, the clerk of the court shall enter or enroll together in order, in a book to be kept for that purpose, or in such manner as may be otherwise prescribed by the Chancellor as provided by this section, the pleadings and decree, and such other papers as the Chancellor may order in the cause. The Chancellor may by rule prescribe that the pleadings, decree and other papers shall be entered or enrolled by the use of any photostatic, photographic or mechanical process whatsoever, including any photographic process which will produce compact records on film in reduced size (commonly known as microfilm), which in his judgment will insure an efficient recording system and provide, under proper supervision, ready access to the record of the pleadings, decree and other papers in any cause so entered and enrolled. The decree shall not contain any recital of the bill, answer or other pleadings. Any party to the action may, at his own expense, require the enrollment of reports and orders not required by this section to be enrolled. Enrollment of pleadings.

May use mechanical process.

Contents of decree.

Section
amended.

2. Section 2:29-54 of the Revised Statutes is amended to read as follows:

Duty of
clerk.

2:29-54. When the proceedings and decree in any cause are by law required to be entered or enrolled as provided by sections 2:29-52 or 2:29-53 of this Title the clerk shall enter or enroll the same within three months after the final decree in such cause shall have been filed with the clerk.

Section
amended.

3. Section 2:29-56 of the Revised Statutes is amended to read as follows:

Proceedings
and decrees
valid.

2:29-56. All proceedings and decrees entered or enrolled by the clerk as provided by sections 2:29-52 or 2:29-53 of this Title shall be good and effectual in law, to all intents and purposes, notwithstanding the same shall be entered or enrolled after the Chancellor who pronounced such final decree goes out of office.

Status of
employees.

4. Any enroller in the Court of Chancery or the office of the Clerk in Chancery having permanent civil service status, whose services may become unnecessary as a result of this act shall be placed on the civil service re-employment list and assigned other duties by the Civil Service Commission; and this act shall not affect the employment, civil service or retirement rights of any such employee.

5. This act shall take effect immediately.

Approved May 28, 1947.

CHAPTER 229

AN ACT providing for the copying of the paginal contents of all books in which are entered or enrolled proceedings and decrees in causes in the Court of Chancery, by the use of a photostatic, photographic or mechanical process; and authorizing the destruction or other disposal of said books.

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

1. Notwithstanding any other provisions of law, the Chancellor is hereby authorized to direct the Clerk of the Court of Chancery to cause to be copied or reproduced, page by page and in order, the contents of each book in which are entered or enrolled proceedings and decrees in causes in the Court of Chancery, by the use of any photostatic, photographic or mechanical process whatsoever, including any photographic process which will produce compact records of the contents of such books on films in reduced size (commonly known as microfilm), which in the judgment of the Chancellor will insure an efficient recording system and provide, under proper supervision, ready access to the record of the proceedings and decree in any cause entered or enrolled. C. 2:29-56.1.
May use
mechanical
method to
copy records.

2. The work of reproducing or copying such books, as provided by section one of this act, may be done by employees in the office of the clerk or may be contracted for, in accordance with all provisions of law relating to contracts entered into by State officers or agencies; *provided, however*, that the decision as to whether the work shall be done by employees in the office of the clerk or by contract shall rest with the Chancellor and the clerk, who shall together consider whether the office of the clerk is or can be equipped therefor, the cost C. 2:29-56.2.
Method of
having
work done.
Proviso.

of such work by such employee or by contract, and the efficiency with which the work can be done either way.

C. 2:29-56.3.
Cost.

3. The cost or costs of such work, however the same is to be done, including the cost of devices, machines, cameras, supplies, or other equipment to be purchased, if any, shall be approved by the Commissioner of Taxation and Finance and, if approved, shall be paid out of funds heretofore or hereafter appropriated for that purpose, or out of funds heretofore or hereafter appropriated for other purposes to the Court of Chancery or to the clerk thereof, or both, in such amount or amounts as the Chancellor, the clerk and the commissioner shall agree is, are or will be available for such cost or costs.

C. 2:29-56.4.
Reproductions
good and
effectual
in law.

4. After such copies or reproductions have been duly completed, and the records thereof properly marked, certified, and stored or filed, the record of the proceedings and decree in each cause so recorded shall be deemed to be the entry and enrollment thereof and shall be as good and effectual in law, to all intents and purposes, as if the same were the original entry or enrollment; and thereupon the Chancellor shall give ten days' written notice to the Division of the State Library, Archives and History, in the State Department of Education, of his intention to destroy or otherwise dispose of the entry or enrollment books.

Notice of
intent to
destroy.

C. 2:29-56.5.
May dispose
of records.

5. So many of such entry or enrollment books as are not in writing requested by the Division of the State Library, Archives and History, may be destroyed or otherwise disposed of in such manner as the Chancellor shall deem proper.

6. This act shall take effect immediately.

Approved May 28, 1947.

CHAPTER 230

AN ACT relating to the time for the filing of certain statements by owners or operators of autobusses who are subject to the monthly franchise tax payable to municipalities, and amending section 48:4-14 of the Revised Statutes.

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

1. Section 48:4-14 of the Revised Statutes is amended to read as follows: Section amended.

48:4-14. Every person owning or operating an autobus in any municipality of this State shall, on or before the twenty-fifth day of each calendar month, file with the chief fiscal officer of the municipality a statement, verified by oath, showing the gross receipts from the business of such autobus or busses during the preceding calendar month, and shall at the same time pay to such fiscal officer of such municipality five per centum (5%) of such gross receipts as a monthly franchise tax for revenue for the use of the streets; *provided*, that if the route over which the autobus is operated shall extend beyond the limits of such municipality, such person shall include in such statement the length of the route over which the autobus is operated both within and without the municipality, and shall pay as such franchise tax to such municipality five per centum (5%) of such proportion of the gross receipts as the length of the route in the municipality bears to the entire length of the route; *provided, however*, that none of the provisions of this article shall be applicable to a charter bus operation or special bus operation. Statement of gross receipts. Rate of tax. Proviso. Proviso.

The sum accruing to any municipality under this section when paid shall be in lieu of all other franchise taxes and municipal license fees.

2. This act shall take effect immediately.

Approved May 28, 1947.

CHAPTER 231

AN ACT concerning the payment of premiums for group insurance of municipal and county employees in certain cases, amending section 40:11-15 and supplementing chapter eleven of Title 40 of the Revised Statutes.

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

Section
amended.

1. Section 40:11-15 of the Revised Statutes is amended to read as follows:

May deduct
premium,
petition.

40:11-15. In any municipality or county where the employees of the municipality or county have or shall have formed themselves into groups for the purpose of obtaining the advantages of a group plan of life insurance, or a group plan of health and accident insurance, or both, the governing body of the municipality or county, when written petitions and authorizations signed by the employees as individuals, are filed with the receiving and disbursing officer of the municipality or county, may authorize, by resolution, the deductions specified in the written petitions and authorizations, and the payment of them to the designated fiscal agent of the group.

C. 40:11-16.1.
May pay
premiums.

2. Whenever the employees of any county of the sixth class have established, or shall establish, themselves into a group, or groups, in accordance with the provisions of section 40:11-15 of the Revised Statutes, the governing body of any such county may pay, notwithstanding the provisions of any other law, as additional compensation to the individual members of such group, or groups, a part or all of the premium of such group policy or policies.

Construing.

Nothing herein contained shall be construed as compelling the governing body of any such county

to pay any portion of the premium on such group or groups.

3. This act shall take effect immediately.

Approved June 2, 1947.

CHAPTER 232

AN ACT concerning the salaries of judges of the courts of common pleas in counties bordering on the Atlantic ocean and now or hereafter having a population of less than thirty thousand inhabitants.

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

1. The salary of the judge of the court of common pleas in any county bordering on the Atlantic ocean now or hereafter having a population of less than thirty thousand inhabitants may be increased by resolution of the board of freeholders of the county to not more than six thousand two hundred dollars (\$6,200.00) per annum, payable from county funds by the treasurer of such county; *provided*, the judge of such county, likewise, holds the district court. C. 2:6-16.1.
Salary.

2. This act shall take effect immediately.

Approved June 2, 1947.

CHAPTER 233

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:

Procedure,
decree 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 or 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 or in any suit of strict foreclosure to cure defects and omissions in a prior foreclosure and sale, 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 or the lien or encumbrance theretofore foreclosed is prior to the lien or encumbrance of the State. Such suit of strict foreclosure to cure defects and omissions in such prior foreclosure of and sale under any lien or encumbrance previous to the lien or encumbrance of the State of New Jersey may be brought by the purchaser at said foreclosure sale or by the

Proviso.

legal representatives, heirs, devisees, successors or assigns of such purchaser.

2. This act shall take effect immediately.

Approved June 2, 1947.

CHAPTER 234

AN ACT to amend "An act providing for the retirement of policemen and firemen of the police and fire departments in municipalities of this State, including members of the fire departments of any fire district located in any township and including all police officers having supervision or regulation of traffic upon county roads, and providing a pension for such retired policemen and firemen and members of the police and fire departments, and the widows, children and sole dependent parents of deceased members of said departments, and supplementing Title 43 and amending sections 43:16-1, 43:16-2, 43:16-3, 43:16-4, 43:16-5, 43:16-6, 43:16-7 and repealing 43:16-11 of the Revised Statutes," approved May twenty-third, one thousand nine hundred and forty-four (P. L. 1944, c. 253).

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.

43:16-1. In all municipalities any active member of a police department or of a paid or part paid fire department or of a county police department including active members of the paid or part paid fire departments of any fire district located in any township which has adopted the provisions of this

Retirement
for age
and service.

act, who shall have served honorably in the police or fire department for a period of twenty-five years and reached the age of fifty-one years, or any employee member of any such department who shall have served honorably in such department for a period of twenty-five years and who has reached the age of sixty years shall, on his own application, be retired on a service retirement pension equal to one-half of his average salary. Any active member of the police or paid or part paid fire department including active members of the paid or part paid fire department of any fire district as aforesaid who shall have served honorably for a period of twenty-five years and reached the age of sixty-five years and any employee member of any such department who shall have served honorably in such departments for a period of twenty-five years and reached the age of seventy years shall be retired on a service retirement pension equal to one-half of his average salary.

Section
amended.

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

Retirement
for disability.

43:16-2. Any member of such police or paid or part paid fire department who shall have received permanent disability while on duty shall be retired upon a service disability pension equal to one-half of his average salary.

A member of any such department who shall have served honorably, desiring to retire because of permanent disability not sustained while on duty, shall upon approval of his application or the application of his employer be retired on a non-service disability pension equal to one-half of his average salary.

Application.

A member of any such department seeking to retire on a service disability or nonservice disability pension shall make application to the pension commission in writing; or the commission may, upon application of the employer, cite any such member of any such department before it to examine such member concerning his alleged disability and in either case the pension commission shall

call to its assistance the aid of a surgeon or physician, and the member may likewise call to his aid a regularly licensed and practicing physician or surgeon. The president of the board of pension commissioners is authorized to administer oaths to such physicians or surgeons or any other person called with respect to the matter before the commission. If the two physicians or surgeons so called fail to agree upon the physical or mental condition of the member, the pension commission may call a third and disinterested, licensed and practicing physician or surgeon, and the determination of a majority of such surgeons or physicians, after they shall have been duly sworn in the case, shall be reduced to writing and signed by them. The determination shall specify whether or not such member is permanently disabled from performing his usual duty and any other available duty in the department which his employer is willing to assign to him and whether or not his permanent disability occurred while on duty. The pension commission shall determine by resolution whether the member is fit for the performance of his usual duty or such other duty in his department which his employer is willing to assign to him and if it is determined that he is unfit for such duty or there is no available duty which he could perform then he shall be entitled to the benefits of this subtitle. In determining whether the member should be retired on a disability pension, the pension commission shall consider the physicians' and surgeons' determination in arriving at its decision.

Determination
of commission.

The pension commission shall require any member who is less than fifty-one years of age and who shall have been retired on a service disability or nonservice disability pension to submit to a physical examination twice a year for a period of three years and once a year thereafter in order to determine whether or not the disability which existed at the time that he was retired still exists. Such examination shall be made in accordance with the same procedure in the instance of the examination

Periodic
examinations.

made by virtue of a member's application for retirement for disability. If the physicians or surgeons or a majority of them report that the member is able to perform either his former usual duties, if such be available, or such other available duties in the department which his employer shall assign to him, the pensioner shall report for such duty within ten days, and be reinstated to duty at the salary prevailing for the position at the time of his reinstatement and thereupon his pension payments shall cease. If the pensioner fails to submit to a medical examination or fails to return to duty within ten days after receiving either request or within such further time as may be allowed by the commission for valid reason, his pension payments shall be discontinued during such default. Any pensioner who may be of the opinion that he has recovered from the disability which existed at the time of his retirement may request and be granted an examination by the commission at any time and if it be found by the physicians or surgeons or a majority of them that he be fit for his usual duty or any other available duty in the department which his employer is willing to assign to him and the commission concurs therein then he shall be reinstated thereto, if such be available, at the salary prevailing for the position at the time of his reinstatement and thereupon his pension payments shall cease.

Section
amended.

Pensions to
dependents.

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

43:16-3. The widow of a member of such police or paid or part paid fire department, who shall have been retired on a service retirement pension, or who shall have continued in service after becoming eligible for such pension and shall not have lost his life while on duty, or who shall have been retired on a service disability pension, and which member shall have paid into the fund the amount of his annual assessments or contributions required by section six of this act and if he shall have been retired on pension continued so to do after his

retirement and until his death, shall, if she married her husband before the date of his retirement and before he reached fifty years of age and did not marry such member while he was suffering from the last illness which resulted in his death, receive a pension for so long as she remains unmarried equal to one-half of the average salary of her deceased husband but not to exceed the sum of one thousand dollars (\$1,000.00) annually for the use of herself and the children of her deceased husband, if any, under sixteen years of age, or if no widow but children under sixteen years of age or if widow dies leaving children under sixteen years of age, of the deceased member, the pension which the widow would have received had she survived shall be paid to such children. Maximum.

The widow of a member who shall not have been retired but shall die before becoming eligible for a service retirement pension while still employed by the department and shall not have lost his life while on duty, and the widow of a member who shall have been retired on a nonservice disability pension and which member shall have paid into the fund the amount of his annual assessments or contributions required by section six of this act, until his death, shall, if she married her deceased husband before the date of his retirement and before he reached fifty years of age, and did not marry such member while he was suffering from the last illness which resulted in his death, receive a pension, for so long as she remains unmarried, equal to one-half of the average salary of her deceased husband, but not to exceed the sum of one thousand dollars (\$1,000.00) annually, for the use of herself and the children of her deceased husband, if any, under sixteen years of age, or if no widow but children under sixteen years of age or if widow dies leaving children under sixteen years of age, of the deceased member, the pension which the widow would have received had she survived shall be paid to such children. The widow of any member who died on or after July first, one thousand

nine hundred and forty-four, and who is not receiving at the time this amendment takes effect a pension equal to the amount provided by this amendment, shall, beginning with the effective date of this act, receive a pension in the amount provided by this amendment.

If a member who shall have been retired on a service retirement pension or a member who shall have continued in service after becoming eligible for such pension and shall not have lost his life while on duty or a member who shall have been retired upon a service disability or nonservice disability pension, or a member who dies while still employed by the department but who shall not have lost his life while on duty, leaves no widow, but leaves a child or children under sixteen years of age, or if such widow dies leaving children of the deceased member, the pension which the widow would have received had she survived shall be paid to those children who have not reached sixteen years of age in equal shares, if there be three or more of them, if there be only two they shall be paid twenty dollars (\$20.00) each monthly and if there be only one, the child shall be paid twenty-five dollars (\$25.00) monthly, until the age of sixteen years is reached but in no event are the pensions paid to the children to exceed in the aggregate the sum of one thousand dollars (\$1,000.00) annually.

If the member dies leaving no widow and no children under sixteen years of age, the pension shall be paid to the dependent parent or parents of the deceased member; but in no event shall any pension paid to a dependent parent exceed five hundred dollars (\$500.00) per annum if there be one, or exceed three hundred seventy-five dollars (\$375.00) per annum each if there be two.

Section
amended.

4. Section six of the act of which this act is amendatory is amended to read as follows:

How fund
created:

43:16-5. For the purpose of paying such pensions a fund shall be created as follows:

Member
contribution;

(a) There shall be deducted from every payment of salary to each member of the police department

and of a paid or part paid fire department in such municipality five per centum (5%) 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 attaining 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. There shall be deducted from every pension payment to each retired or pensioned member two and one-half per centum (2½%) of the amount thereof instead of five per centum (5%).

(b) The municipality shall include in its budget, raise by taxation and pay into the fund yearly an amount equal to five per centum (5%) of the total salaries paid to the members of the police department and of a paid or part paid fire department and shall include in its budget, raise by taxation and pay into the fund yearly such additional amount or amounts as, upon the recommendation of the pension commission of the municipality, the governing body shall determine to be necessary to maintain the fund. Municipal contribution;

(c) There shall be added to the fund all fines imposed on any member of the police department and of a paid or part paid fire department, moneys given or donated to the 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. Fines;

(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. The State Tax Commissioner shall distribute the funds so collected as follows: There shall first be deducted one per Percentage of insurance moneys. Distribution.

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. Every such pension fund commission 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 pension fund commission failing to make the report in any year shall forfeit 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 deficit.

If there is not sufficient money in the pension fund, the governing body shall include in its budget and in the tax levy for the next fiscal year a sum sufficient to meet the requirements of the fund for the time being.

Obligation.

The requirement for each municipality and county to include in its budget, raise by taxation, and pay into the pension fund established and maintained therein for members of the police department and paid or part paid fire departments the amounts so required, hereby are established and constituted as an obligation of such municipality or county.

Section
amended.

5. Section twelve of the act of which this act is amendatory is amended to read as follows:

C. 43:16-17.

Terms defined:

12. The following words and phrases as used in this act, unless a different meaning is plainly re-

quired by the context, shall have the following meaning:

(1) "Member" shall mean a person who on the effective date of the act of which this act is amendatory, that is on July first, one thousand nine hundred and forty-four, was a member of a municipal police department or paid or part paid fire department or county police department or a paid or part paid fire department of a fire district located in a township and who has contributed to the pension fund established under chapter sixteen of Title 43 of the Revised Statutes and shall hereafter contribute to said fund. Member;

(2) "Active member" shall mean any "member" who is a policeman, fireman, detective, lineman, driver of police van, fire alarm operator or inspector of combustibles and who is subject to call for active service or duty as such. Active member;

(3) "Employee member" shall mean any "member" who is not subject to call for active service or duty as a policeman, fireman, detective, lineman, driver of police van, fire alarm operator or inspector of combustibles. Employee member;

(4) "Commission" shall mean the board having control of the fund and the administration of this act. Commission;

(5) "Physician or surgeon" shall mean the surgeon or surgeons, physician or physicians who shall be called upon to determine the disability of members as provided by this act. Physician or surgeon;

(6) "Employer" shall mean the county, municipality or agency thereof, by which a member is employed. Employer;

(7) "Service" shall mean service rendered while a member is employed by a municipal police department, paid or part paid fire department, county police department or paid or part paid fire department of a fire district located in a township prior to the effective date of this act for such service to such departments thereafter. Service;

(8) "Pension" shall mean the amount payable to a member or his beneficiary under the provisions of this act. Pension;

Average
salary;

(9) "Average salary" shall mean the average annual salary paid during the last three years of a member's service, or in the event he has been employed for less than three years, the average pay he received during the time he was employed.

Beneficiary;

(10) "Beneficiary" shall mean any person or persons, other than a member, receiving or entitled to receive a pension or benefit as provided by this act.

Dependent
parent;

(11) "Dependent parent" shall mean the father or mother of the deceased member who proves to the satisfaction of the commission that such deceased member was his or her main support.

County police.

(12) "County police" shall mean all police officers having supervision or regulation of traffic upon county roads.

6. This act shall take effect immediately.

Approved June 2, 1947.

CHAPTER 235

AN ACT concerning taxation, and amending section 54:4-3.9 of the Revised Statutes.

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

Section
amended.

1. Section 54:4-3.9 of the Revised Statutes is amended to read as follows:

Tax exempt.

54:4-3.9. Graveyards not exceeding ten acres of ground, and cemeteries and buildings for cemetery use erected thereon, and all mausoleums, vaults, crypts or structures intended to hold or contain the bodies of the dead or the ashes thereof, and solely devoted to or held for that purpose shall be exempt from taxation under this chapter.

2. This act shall take effect immediately.

Approved June 2, 1947.

CHAPTER 236

AN ACT relating to cemeteries, and amending sections 8:2-23 and 8:2-24 of the Revised Statutes.

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

1. Section 8:2-23 of the Revised Statutes is amended to read as follows: Section amended.

8:2-23. The owner of a burial plot or lot in any cemetery in this State, whether or not there has been an interment therein, may convey the same in trust to the association owning, maintaining or conducting the cemetery, or to a bank or banking or trust company of this State, or to a bank or banking company organized under the laws of the United States and doing business in this State, the title thereto to be held by such trustee in perpetuity or for a shorter time for the use and benefit of the owner of the plot or lot and the protection of the bodies or the ashes thereof already or thereafter to be interred therein, pursuant to the terms of the deed of trust. May convey plot in trust.

If the conveyance is to the association owning, maintaining or conducting the cemetery, the board of managers or trustees thereof shall, before the conveyance is made, authorize the same by a vote of at least three-fifths of its members at a regular meeting thereof. Conveyance authorized by managers.

2. Section 8:2-24 of the Revised Statutes is amended to read as follows: Section amended.

8:2-24. The body of any deceased person or the ashes thereof shall not be interred in any plot or lot in a cemetery owned by a cemetery association incorporated under sections 8:1-1 to 8:1-5 of this Title or under any special act, unless the deceased person had, at the time of his decease, an interest in the plot or lot, or was the relative of some person having such an interest, or was the wife of such Burials in cemetery lots.

person or her relative, except by the consent of all persons having an interest in such plot or lot.

3. This act shall take effect immediately.

Approved June 2, 1947.

CHAPTER 237

AN ACT relative to the burial of deceased veterans, and amending section 38:17-2 of the Revised Statutes.

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

Section
amended.

1. Section 38:17-2 of the Revised Statutes is amended to read as follows:

Supervisor
of veterans'
interment.

Proviso.

Salary.

No
examination.

38:17-2. The board of chosen freeholders in each of the counties shall appoint a suitable person who shall be a resident of the county, as supervisor of veterans' interment; *provided*, that in making such appointment an honorably discharged soldier, sailor or marine who served in the Army, Navy or Marine Corps of the United States during any war in which the United States has been engaged shall be appointed. The supervisor of veterans' interment shall be paid such annual salary as may be fixed by the board of chosen freeholders of each county. The salary shall be paid in semimonthly installments by the county treasurer. Where a superintendent of soldiers' burials in any county has served as such for a period of five or more years prior to the first day of September, one thousand nine hundred and forty-six, such superintendent of soldiers' burials shall be deemed to be a suitable person and may be appointed by the board of chosen freeholders as supervisor of veterans' interment without any competitive examination.

2. This act shall take effect immediately.

Approved June 2, 1947.

CHAPTER 238

AN ACT to amend "An act to provide for the establishment of a diagnostic center, the commitment and admission of persons thereto, the general administration thereof, and supplementing Title 30 of the Revised Statutes," approved April twenty-second, one thousand nine hundred and forty-six (P. L. 1946, c. 118).

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 State Board of Control of Institutions and Agencies is hereby authorized, empowered and directed to make suitable arrangements, by the acquisition, purchase or condemnation of existing buildings and lands, or by the construction of appropriate buildings on acquired lands, for the establishment of a unit, which shall be centrally located in the State and not adjacent or contiguous to any existing mental, penal or correctional institution, to be known as the Diagnostic Center.

C. 30:4A-1.
Authorized
to establish
diagnostic
center.

2. This act shall take effect immediately.

Approved June 2, 1947.

CHAPTER 239

AN ACT concerning hunting with bow and arrow,
and amending sections 23:4-42, 23:4-43 and
23:4-44, and supplementing chapter four of Title
23 of the Revised Statutes.

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

Section
amended.

1. Section 23:4-42 of the Revised Statutes is amended to read as follows:

Season for
hunters
with bows
and arrows.

23:4-42. Except as provided in the second paragraph of this section, no person shall hunt for, pursue, shoot at, take, kill, wound or attempt to take, kill or wound a deer whose horns are less than three inches long, or a doe deer at any time, or hunt for, pursue, shoot at, take, kill, wound or attempt to take, kill or wound any wild deer at any time except from December twelfth to December sixteenth, or, if any of said days shall fall upon a Sunday, then to December seventeenth, inclusive, or to kill in any one year more than one deer, except that persons may kill a deer between December seventh and December eleventh, inclusive, using a bow and arrow exclusively.

Killing on
cultivated
land.

The owner or lessee of any land, a portion of which is under cultivation, or the authorized agents of the owner or lessee having on their person a written permit signed by the owner or lessee, and the board, may kill deer at any time that the deer may be found on that land but no doe deer shall be killed during the open season for deer. The carcass of a deer killed while so trespassing shall become the property of the board and may be removed and disposed of in the manner it directs. For the purpose of this section, land under cultivation shall be construed to mean pasture fields seeded with cultivated grass or land on which planted crops are growing.

2. Section 23:4-43 of the Revised Statutes is amended to read as follows: Section amended.

23:4-43. No person shall have in possession in this State any wild deer except from December twelfth to December sixteenth, or, if any of said days shall fall on a Sunday, then to December seventeenth, inclusive, except hunters who have killed a deer between December seventh and December eleventh, inclusive, using a bow and arrow exclusively. No person shall have in possession at any time any doe or any deer, except a deer with horns at least three inches long. Possession prohibited.

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

This article shall not apply to deer killed on game preserves, the owners or lessees of which are licensed by the board, or to deer coming from another State, which is properly tagged, showing where the same was killed. Not to apply.

3. Section 23:4-44 of the Revised Statutes is amended to read as follows: Section amended.

23:4-44. No person engaged in hunting for wild deer shall use or carry a rifle of any kind or description, or any firearm or shotgun of a smaller caliber than twelve gauge, or load such firearm or shotgun with a bullet or other missile larger than that commonly known as buckshot, or have in possession in the woods or fields during the open season for killing deer any missile except buckshot or have any missile larger than number four shot in possession in the woods or fields at any time other than during the open season for killing deer; *provided, however*, that nothing in this section shall prevent the hunting of deer with a bow and arrow as stated in this section and in sections 23:4-42 and 23:4-43 of the Revised Statutes and as otherwise Weapons that are permissible.

Proviso, bow
and arrow.

provided by law; *provided*, that it shall be unlawful for any person to have in his possession or under his control any gun or firearms at any time while hunting deer with bow and arrow, and no person shall use or have in his possession or under his control while hunting, any poison arrow, arrow with explosive tips, or any bow drawn, held or released by mechanical means.

Note:
Repealer.

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

5. This act shall take effect immediately.

Approved June 2, 1947.

CHAPTER 240

AN ACT to permit municipalities to vacate lands or parts of lands dedicated to the public for burial purposes and in which no bodies have been interred and releasing public rights therein.

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

C. 8:2-51.1.
May release
dedicated
lands.

1. Whenever in any municipality there has been heretofore or shall be hereafter a dedication of lands for burial purposes, and the same or any part thereof has not been used for that purpose and no bodies have been buried or interred therein, and it shall appear to the governing body that the said lands or part thereof has not been used for that purpose and no bodies have been buried or interred therein, and it shall further appear to the governing body that the public interest will be better served by releasing said lands or any part thereof not used for burial purposes and in which no bodies have been buried or interred, from such dedication, said governing body shall have power by ordinance to release and extinguish the public rights arising from such dedication as to the whole or any part of said lands not used for burial purposes and in which no bodies have been buried or interred, and

thereupon the said lands or the part thereof as aforesaid so released, shall be effectually discharged therefrom as though said dedication has not taken place.

2. This act shall not apply to lands or parts of lands dedicated for cemetery or burial purposes where such lands are or shall be owned, controlled or managed by any religious congregation, society, association or corporation. C. 8:2-51.2.
Act not to
apply.

3. No such ordinance shall be enacted without a consent in writing thereto being first given by the cemetery association or other owner of the lands to be affected by such ordinance. C. 8:2-51.3.
Assent by
owner.

4. This act shall take effect immediately.

Approved June 2, 1947.

CHAPTER 241

AN ACT to amend "An act to require the provision of adequate trained personnel and proper appliances for life-saving and resuscitation at swimming pools or public swimming places operated directly or indirectly for profit and providing penalties for the violation thereof," approved April twenty-fifth, one thousand nine hundred and forty-six (P. L. 1946, c. 172).

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

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

1. Every person operating a swimming pool or public swimming place, directly or indirectly, for profit shall provide adequate trained personnel and proper appliances for life-saving and resuscitation at all times when the pool or place is open to the public. C. 26:4A-1.
Equipment
and personnel
required.

2. This act shall take effect immediately.

Approved June 2, 1947.

CHAPTER 242

AN ACT to supplement "An act to authorize any city, borough, village, town, township, or other municipality, other than a county or school district, to provide temporary or permanent safe and sanitary dwellings for citizens of this State, and to manage and maintain the same, to borrow funds for such purpose and to issue municipal obligations therefor, and to make appropriations for such purpose," approved April twelfth, one thousand nine hundred and forty-six (P. L. 1946, c. 79), as said title was amended by chapter three hundred and twenty-one of the laws of one thousand nine hundred and forty-six.

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

C. 55:14F-10.
Joint action
for veteran
housing.

1. Any municipality which desires to provide temporary or permanent housing for its veterans or other citizens in accordance with the provisions of the act to which this act is a supplement, may provide such housing in conjunction with other municipalities and may contract jointly with such municipalities for the erection, maintenance, and operation of such housing accommodations outside of the territorial limits of such municipality.

2. This act shall take effect immediately.

Approved June 2, 1947.

CHAPTER 243

AN ACT concerning the practice of medicine and surgery, and amending section 45:9-8 of the Revised Statutes.

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 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 or Canada, 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 Canada, 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, consecutively Requirements.

or in four different calendar years, in some legally incorporated 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; *provided, however*, that the board may in its discretion, during the present war between the United States, Germany, Italy and Japan and for a period of three months after the cessation of the same, admit an applicant to examination for a license to practice medicine and surgery who has completed not less than nine months of an interneship acceptable to the board in a hospital approved by the board.

Proviso,
internship.

2. This act shall take effect immediately.

Approved June 2, 1947.

CHAPTER 244

AN ACT fixing the compensation of court attendants in certain counties in this State, and amending section 2:16-40 of the Revised Statutes.

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

1. Section 2:16-40 of the Revised Statutes is amended to read as follows: Section amended.

2:16-40. In each county having a population between one hundred and seventy-five thousand inhabitants and three hundred thousand inhabitants, the court attendants engaged in attending the circuit court, court of oyer and terminer, court of common pleas, court of quarter sessions, and criminal judicial district court, shall receive and be paid monthly by the county treasurer of the county, in lieu of all fees, an annual salary as follows: two thousand dollars (\$2,000.00) for the first year of service; two thousand one hundred dollars (\$2,100.00) for the second year of service; two thousand two hundred dollars (\$2,200.00) for the third year of service; two thousand three hundred dollars (\$2,300.00) for the fourth year of service; two thousand four hundred dollars (\$2,400.00) for the fifth year of service; two thousand five hundred dollars (\$2,500.00) for the sixth year of service; two thousand six hundred dollars (\$2,600.00) for the seventh year of service; two thousand seven hundred dollars (\$2,700.00) for the eighth year of service; two thousand eight hundred dollars (\$2,800.00) for the ninth and each succeeding year of service. Schedule of salaries.

In each county having a population between three hundred thousand and four hundred and seventy thousand inhabitants, the court attendants engaged in attending the circuit court, court of oyer and terminer, court of common pleas, court of

quarter sessions, and criminal judicial district court, shall receive and be paid monthly by the county treasurer of the county, in lieu of all fees, an annual salary as follows: two thousand dollars (\$2,000.00) for the first year of service; not less than two thousand one hundred dollars (\$2,100.00) nor more than two thousand two hundred dollars (\$2,200.00) for the second year of service; not less than two thousand two hundred dollars (\$2,200.00) nor more than two thousand three hundred dollars (\$2,300.00) for the third year of service; not less than two thousand three hundred dollars (\$2,300.00) nor more than two thousand four hundred dollars (\$2,400.00) for the fourth year of service; not less than two thousand four hundred dollars (\$2,400.00) nor more than two thousand five hundred dollars (\$2,500.00) for the fifth year of service; not less than two thousand five hundred dollars (\$2,500.00) nor more than two thousand six hundred dollars (\$2,600.00) for the sixth year of service; not less than two thousand six hundred dollars (\$2,600.00) nor more than two thousand seven hundred dollars (\$2,700.00) for the seventh year of service; not less than two thousand seven hundred dollars (\$2,700.00) nor more than two thousand eight hundred dollars (\$2,800.00) for the eighth year of service; not less than two thousand eight hundred dollars (\$2,800.00) nor more than three thousand four hundred dollars (\$3,400.00) for the ninth year and each succeeding year of service, as may from time to time be determined by the board of chosen freeholders of the county.

Construing.

This section shall not be construed as reducing the annual compensation of any court attendants engaged, on June second, one thousand nine hundred and forty-seven, in any courts affected by the terms of this section.

Time served
to be
considered.

In all cases where any court attendant has already been serving, the time served shall be considered in fixing the salary to be paid to each court attendant respectively; *provided, however*, that no

Proviso.

court attendant shall receive an increase in salary of more than two hundred dollars (\$200.00) in any one year in addition to his present salary and during each subsequent year, until the maximum salary is achieved.

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

Approved June 2, 1947.

CHAPTER 245

AN ACT concerning the teachers' pension and annuity fund, amending section 18:13-41, and supplementing article three of chapter thirteen of Title 18 of the Revised Statutes.

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

1. Section 18:13-41 of the Revised Statutes is amended to read as follows: Section amended.

18:13-41. The membership of any person in the retirement system shall cease: Termination of membership.

a. If he shall be continuously absent without pay for a period of more than three years;

b. If in any five-year period after he last becomes a member he shall render less than two years of school service;

c. Upon the withdrawal by a contributor of his accumulated deductions as provided in this article;

d. Upon retirement on a pension; or

e. At death;

But not otherwise except as provided in this article.

The board of trustees shall send written notice to the last known address and to the last employer of a member between sixty and fifty days in advance of the date on which his inactive member-

ship shall expire as provided in paragraphs "a" and "b" of this section.

C. 18:13-77.6.
Interest
to cease.

2. The interest accrual of any member who shall be continuously absent without pay for a period of two years shall cease at the end of such period but shall be resumed if and when the member returns to active service before the close of the third year of such continuous absence and such member shall pay the interest from the date of cessation until his resumption of active service, before the end of such third year.

3. This act shall take effect immediately.

Approved June 2, 1947.

CHAPTER 246

AN ACT concerning taxation, and amending section 54:2-40 of the Revised Statutes.

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

Section
amended.

1. Section 54:2-40 of the Revised Statutes is amended to read as follows:

Copies of
appeal to
be served.

54:2-40. A copy of the petition of appeal shall be served by the appellant upon the county board of taxation whose judgment is appealed from, or its secretary, and upon the assessor, clerk or attorney of the taxing district. Service of such copies shall be evidenced by affidavit upon the original petition of appeal filed with the Division of Tax Appeals in the State Department of Taxation and Finance or service thereon acknowledged. A copy of each judgment of the division whether of affirmance, reversal, modification or otherwise shall be sent to the taxpayer and, at the same time, to the collector and to the assessor or board of assessors of the taxing district and the secretary of the county board of taxation in which said taxing district is

situated. The division shall also give prompt notice to the taxpayer and, at the same time, to the collector and to the assessor or board of assessors of the taxing district and to the secretary of the county board of taxation, in whose county the taxing district is situated, of the withdrawal and dismissal of petitions of appeal filed with the division.

Notice to
taxpayer.

Approved June 2, 1947.

CHAPTER 247

AN ACT concerning motor vehicles, and amending
section 39:3-13 of the Revised Statutes.

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

1. Section 39:3-13 of the Revised Statutes is amended to read as follows:

Section
amended.

39:3-13. The commissioner may in his discretion, issue to a person over seventeen years of age a written permit, under the hand and seal of the commissioner, allowing such person, for the purpose of fitting himself to become a motor vehicle driver or a motor cycle operator, to operate a motor vehicle or motor cycle for a specified period of not more than thirty days, while in the company and under the supervision of a licensed motor vehicle driver. The permit shall be sufficient license for the person to operate a motor vehicle or motor cycle in this State during the period specified, while in the company of and under the control of a licensed motor vehicle driver of this State. Such person, as well as the licensed motor vehicle driver, shall be held accountable for all violations of this subtitle committed by such person while in the presence of the licensed driver. No written permit shall be issued unless the person applying therefor shall pay the sum of one dollar (\$1.00) to

Drivers
permit.

Fee.

an agent of the department, which sum shall be turned over by the agent to the commissioner, and by him remitted with the other funds collected in his department to the State Treasurer, in accordance with the provisions of this subtitle.

No
examination.

No examination for a driver's license shall be given unless the applicant has first secured a learner's permit.

2. This act shall take effect immediately.

Approved June 2, 1947.

CHAPTER 248

AN ACT concerning insurance companies in relation to brokers, agents and solicitors, and amending section 17:22-6 of the Revised Statutes.

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

Section
amended.

1. Section 17:22-6 of the Revised Statutes is amended to read as follows:

Broker's
license issued
without cost.

17:22-6. A citizen of this State who has served in the military or naval forces of the United States in any war, has been honorably discharged, and who having been wounded or disabled in line of duty has completed any of the vocational courses in a college or school prescribed by the Federal Government qualifying him to operate as an insurance broker, insurance agent or insurance solicitor, may, upon presentation of a certificate certifying that he has completed such a vocational course qualifying him as aforesaid, obtain from the commissioner, without cost, a license to operate as an insurance broker, insurance agent or insurance solicitor, which license shall be the same as other licenses issued under this subtitle.

2. This act shall take effect immediately.

Approved June 2, 1947.

CHAPTER 249

AN ACT concerning the taxation of stock of State and national banks and trust companies, and amending section 54:9-9 of the Revised Statutes.

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

1. Section 54:9-9 of the Revised Statutes is Section amended. amended to read as follows:

54:9-9. Each county board shall annually, on or before March first, ascertain from an inspection of the statements filed, and from any other sources of information which may be open to it: Bank stock tax.

a. The names and places of business of all banks in the county;

b. The number of shares of common and preferred capital stock of each issued and outstanding;

c. The aggregate amount of the capital, surplus and undivided profits of each;

d. The number of shares of its issued and outstanding preferred stock of all classes and the aggregate par value of each class thereof;

e. The number of shares of its issued and outstanding common stock;

f. The assessed value of its real property, and the assessed value of all real property owned by a corporation all the stock of which is owned by such bank;

g. The true value of all the common capital stock of each issued and outstanding;

h. The true value of a single common share of each, determined in accordance with the provisions of section 54:9-4 of this Title; and

i. The amount of tax levied upon the common capital stock of each at the uniform rate.

2. This act shall take effect immediately.

Approved June 2, 1947.

CHAPTER 250

AN ACT concerning the alcoholic beverage tax law,
and amending section 54:45-1 of the Revised
Statutes.

BE IT ENACTED *by the Senate and General Assem-
bly of the State of New Jersey*:

Section
amended.

1. Section 54:45-1 of the Revised Statutes is
amended to read as follows:

Monthly
reports.

54:45-1. Every person who, within this State,
shall manufacture, distribute, transport, store,
warehouse, import, offer for sale or sell any alco-
holic beverages or who shall purchase, transfer,
sell or agree to sell warehouse receipts, receipts,
certificates, contracts or other documents given
upon the storage of alcoholic beverages, or who is
the holder of a license permitting the doing of any
such acts, shall file with the commissioner a report
under oath, on such form as the commissioner shall
prescribe, which report shall disclose the amount
of alcoholic beverages manufactured, distributed,
transported, stored, warehoused, withdrawn from
storage, imported, purchased and sold, and the
number and kind of warehouse receipts, receipts,
certificates, contracts or other documents given
upon the storage of alcoholic beverages purchased,
transferred, sold and agreed to be sold by such per-
son during the preceding month, and such other in-
formation as the commissioner may require. Such
report shall be filed on or before the fifteenth day
of each month, or in the case of the holders of plen-
ary retail consumption licenses, seasonal retail
consumption licenses, plenary retail distribution
licenses, limited retail distribution licenses and
club licenses, issued pursuant to the provisions of
Title 33 of the Revised Statutes or any other rela-
tive law of this State, on or before the twentieth
day of each month; but the commissioner may, in

Date of filing.

his discretion, allow the holders of permits, issued pursuant to the provisions of Title 33 of the Revised Statutes, authorizing the manufacture of wine for personal consumption only, to file an annual report. Every such person shall pay to the commissioner upon the filing of such report the amount of tax which shall be due from such person by reason of sales or deliveries of alcoholic beverages, unless previously paid.

Any such person who shall fail to file any such report on the day when it shall be due shall forfeit as a penalty for each day thereafter until the report is filed the sum of five dollars (\$5.00) to be collected as herein above provided. Such penalty shall not continue to accrue after the suspension or revocation of the license of any such person. Any such person who shall fail to pay any such tax on the day when it shall be due shall forfeit as a penalty an amount equivalent to five per centum (5%) of the tax to be collected as herein above provided. The commissioner, if satisfied that the failure to comply with any provision of this section was excusable, may remit the whole or any part of any penalty herein imposed.

Penalty
for failure
to file.

May remit
fine.

2. This act shall take effect immediately.

Approved June 2, 1947.

CHAPTER 251

AN ACT concerning the division of townships into wards, and amending sections 40:144-1 and 40:144-11 of the Revised Statutes.

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

Section
amended.

1. Section 40:144-1 of the Revised Statutes is amended to read as follows:

May divide
into wards.

40:144-1. All townships having a population of more than seven thousand and not heretofore divided into wards, may be divided into not less than three wards as hereinafter in this chapter provided. In determining the population for the purposes of this chapter the inmates of any State hospital for the insane who are not legal residents of such township shall not be counted or included.

Section
amended.

2. Section 40:144-11 of the Revised Statutes is amended to read as follows:

Committeemen
selected
by wards.

40:144-11. The township committee of every township containing more than seven thousand inhabitants which shall hereafter be divided into wards under the provisions of this chapter, shall consist of two members elected from each ward, who shall hold office for two years, and one member at large elected by the voters of the whole township, who shall also hold office for two years and who shall by virtue of his election be chairman of the township committee, and in townships having a population of more than ten thousand shall be known as the mayor of such township. A majority of the members of the committee shall constitute a quorum for the transaction of business, and no standing committees shall be appointed except by a vote of the majority of the members of such committee. The members from each ward and the member at large shall be elected at the annual township election.

Quorum.

3. This act shall take effect immediately.

Approved June 2, 1947.

CHAPTER 252

AN ACT to provide for the establishment of a children's treatment center in the State of New Jersey and for the method of admitting, committing and receiving patients therein, and supplementing Title 30 of the Revised Statutes.

WHEREAS, The State of New Jersey by Joint Resolution No. 9 of the one thousand nine hundred and forty-five Legislative Session, accepted from the estate of the late Arthur Brisbane lands and premises located at Allaire, New Jersey, for the purpose of establishing a convalescent home for disabled veterans; and Preamble.

WHEREAS, It has been found impractical to utilize the said lands and premises for this purpose; and Preamble.

WHEREAS, The State of New Jersey is in urgent need of an institution for the observation, care and treatment of minor children suffering from maladjustment or nervous and mental disorders; and Preamble.

WHEREAS, The family of the late Arthur Brisbane has consented to permit the State of New Jersey to utilize the said lands and premises at Allaire for this commendable purpose; now, therefore, Preamble.

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

1. There is hereby established and created, within the jurisdiction of the State Board of Control of Institutions and Agencies, an institution to be known as the Arthur Brisbane Child Treatment Center and which shall be housed and contained in and upon the lands and premises comprising a portion of the estate of the late Arthur Brisbane at C. 30:4-177.1.
Child treatment center
established.

Allaire, New Jersey, which said lands and premises were accepted as a gift by the State of New Jersey by the provisions of Joint Resolution No. 9 of the Sessions Laws of one thousand nine hundred and forty-five.

C. 30:4-177.2.
Maintenance,
admissions.

2. The State Board is authorized and empowered to equip and maintain the Center in an appropriate manner for the admission and commitment of minor children who are seriously maladjusted or have nervous or mental disorders requiring observation, care and treatment.

C. 30:4-177.3.
Voluntary
admissions.

3. Voluntary admissions of minor children, with or without psychosis, shall be upon application of the parents or guardian of the said minor child and upon the certificate of two reputable physicians indicating that such child is seriously maladjusted or suffering from nervous or mental disorders requiring observation, care and treatment.

C. 30:4-177.4.
Commitment
by court.

4. In the event that a parent or guardian shall fail, neglect or refuse to co-operate in the voluntary admission of any such minor child then such minor child shall be received in the Center on commitment from a court of competent jurisdiction upon application of the Commissioner of the Department of Institutions and Agencies upon the certificate of two reputable physicians indicating that such child is seriously maladjusted or suffering from a mental or nervous disorder which requires observation, care and treatment.

C. 30:4-177.5.
Manner of
admittance.

5. Any minor child suffering from psychosis shall be admitted or committed to the Center in exactly the same manner as other patients are admitted or committed to the several mental hospitals under the jurisdiction of the State Board of Control of Institutions and Agencies.

C. 30:4-177.6.
Treatment.

6. Any such minor child admitted or committed to the Center shall be received, observed, maintained, cared for and treated in accordance with its requirements and in exactly the same manner as other patients admitted or committed to the several charitable institutions coming within the

jurisdiction of the State Board of Control of Institutions and Agencies and shall be conditionally released, transferred or discharged therefrom in accordance with the provisions of Title 30 of the Revised Statutes.

7. Any minor child who has been admitted or committed to any institution coming within the jurisdiction of the State Board of Control may be transferred to or from the Center upon order of the commissioner in the manner provided for in chapter four of Title 30 of the Revised Statutes, when the commissioner is satisfied that the welfare and best interests of such child shall be served by such transfer. All minor children shall be admitted or committed to the Center on forms prescribed and furnished by the Department of Institutions and Agencies.

C. 30:4-177.7.
Transfer of
patients.

8. The Center shall be under the jurisdiction of a separate board of managers and a superintendent to be appointed in the manner provided for in section 30:4-1, et seq. of the Revised Statutes, and shall have the same powers and duties as prescribed in Title 30 of the Revised Statutes.

C. 30:4-177.8.
Separate
board of
managers.

9. Except as otherwise provided for herein, all of the provisions of Title 30 of the Revised Statutes, relating to the admission, commitment, treatment and disposition of patients received in the several charitable hospitals of the State of New Jersey shall apply to and govern the administration of the affairs of the Center and the observation, care and treatment of minor children admitted or committed thereto.

C. 30:4-177.9.
Provisions
of Title 30
to apply.

10. Whenever he shall deem it necessary and proper in the interest of such child, the Commissioner of Institutions and Agencies, on petition of the Board of Children's Guardians, may authorize the admission to this Center, of any child under the care, custody and control of the Board of Children's Guardians.

C. 30:4-177.10.
Admission
on petition.

11. This act shall take effect July first, one thousand nine hundred and forty-seven.

C. 30:4-177.11.
Act effective.

Approved June 2, 1947.

CHAPTER 253

AN ACT concerning district courts, and amending section 2:8-23 of the Revised Statutes.

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

Section
amended.

1. Section 2:8-23 of the Revised Statutes is amended to read as follows:

Salaries,
clerks.

2:8-23. The annual salaries of the clerks of the district courts, which shall be in lieu of all fees whatsoever, shall be as follows:

a. In counties of the first class:

(1) In cities having more than two hundred thousand inhabitants, not less than four thousand dollars (\$4,000.00) nor more than five thousand dollars (\$5,000.00);

(2) In cities having between two hundred thousand and thirty-five thousand inhabitants, not less than two thousand eight hundred dollars (\$2,800.00) nor more than three thousand five hundred dollars (\$3,500.00);

(3) In cities having between thirty-five thousand and twenty thousand inhabitants, not less than one thousand eight hundred dollars (\$1,800.00) nor more than two thousand five hundred dollars (\$2,500.00);

(4) In judicial districts having more than fifty-five thousand inhabitants, not less than two thousand eight hundred dollars (\$2,800.00) nor more than three thousand five hundred dollars (\$3,500.00);

(5) In judicial districts having less than fifty-five thousand inhabitants, not less than one thousand five hundred dollars (\$1,500.00) nor more than two thousand five hundred dollars (\$2,500.00).

This subsection shall not be operative in counties of the first class to increase the annual salaries of the clerks of the district courts above the amounts which they shall be receiving upon the effective date of this act unless the governing body of the city or the board of chosen freeholders of the county, as the case may be, shall, by resolution, authorize such increase to an amount authorized by this act.

b. In counties other than counties of the first class and counties having between two hundred thousand and five hundred thousand inhabitants;

(1) In cities having two hundred thousand or more inhabitants, three thousand three hundred dollars (\$3,300.00);

(2) In cities having between two hundred thousand and forty-five thousand inhabitants, three thousand dollars (\$3,000.00);

(3) In cities having between forty-five thousand and twenty-five thousand inhabitants, two thousand four hundred dollars (\$2,400.00);

(4) In cities having between twenty-five thousand and twenty-three thousand inhabitants, one thousand eight hundred dollars (\$1,800.00);

(5) In cities having between twenty-three thousand and seventeen thousand inhabitants, one thousand five hundred dollars (\$1,500.00);

(6) In cities of the fourth class situate on the Atlantic ocean and having more than fifty thousand inhabitants, three thousand dollars (\$3,000.00);

(7) In judicial districts having one hundred thousand or more inhabitants, except as set forth in section ten of this paragraph, two thousand eight hundred dollars (\$2,800.00);

(8) In judicial districts having between one hundred thousand and forty-five thousand inhabitants, except as set forth in section ten of this paragraph, two thousand five hundred dollars (\$2,500.00);

(9) In judicial districts having a population of forty-five thousand or less, one thousand five hundred dollars (\$1,500.00), except 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 two thousand dollars (\$2,000.00);

(10) In any judicial district having more than sixty-five thousand inhabitants, and where there shall be no other district court in such county, not less than two thousand eight hundred dollars (\$2,800.00) nor more than three thousand dollars (\$3,000.00).

c. In counties having between two hundred thousand and five hundred thousand inhabitants;

(1) In judicial districts having less than forty-five thousand inhabitants, not less than one thousand eight hundred dollars (\$1,800.00) nor more than two thousand three hundred dollars (\$2,300.00);

(2) In judicial districts having between forty-five thousand and eighty thousand inhabitants, not less than two thousand five hundred dollars (\$2,500.00) nor more than three thousand dollars (\$3,000.00);

(3) In judicial districts having eighty thousand or more inhabitants, not less than three thousand dollars (\$3,000.00) nor more than three thousand five hundred dollars (\$3,500.00).

Salary fixed
by judge.

Except as provided by section 2:8-30 of this Title, the amount of the salary to be paid to each clerk of a district court shall, between the minimum and maximum amounts prescribed by this section, be fixed by the judge of the district court to which the clerk is or may be appointed, at any time during the term of office of such clerk.

Salary paid.

The salaries of the clerks of the district courts shall be paid by the cities in which such courts are

or may be established, and by the county treasurer of the counties in which a judicial district has been or may be incorporated, in semimonthly installments, to be computed from the date of the appointment of such clerks, or their increase in salary, if any.

This section shall not affect the salaries of clerks of district courts in judicial districts where the clerk is serving in the dual capacity of district court clerk and county clerk. Not to apply.

2. This act shall take effect immediately.

Approved June 4, 1947.

CHAPTER 254

AN ACT concerning institutions designed for the care of communicable diseases, and amending sections 30:9-63 and 30:9-66 of the Revised Statutes.

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

1. Section 30:9-63 of the Revised Statutes is amended to read as follows: Section amended.

30:9-63. The board of managers shall elect from its membership a president and one or more vice presidents. It shall appoint a superintendent who shall also be secretary and treasurer of the board and shall hold office at the pleasure of the board. Organization.

The superintendent shall not be a member of the board. Superintendent not a member.

The board of managers shall determine the amount of time he shall be required to spend at the hospital in the discharge of his duties.

2. Section 30:9-66 of the Revised Statutes is amended to read as follows: Section amended.

30:9-66. A resident of the county desiring treatment in the county hospital established under sec- Admittance.

	tion 30:9-61 of this Title may apply for examination to a reputable physician. Such physician if he find that the applicant is suffering from a communicable disease in any form, except tuberculosis, may apply to the superintendent for his admission.
Application.	All applications shall state whether in the judgment of the physician, the patient is able to pay in whole or in part for his care and treatment. Each application shall be filed and recorded in a book kept for that purpose in the order of its receipt.
Controlling provisions.	The admission and transfer of tubercular patients, and the determination of legal settlement and liability for cost of care and maintenance of all patients shall be in so far as practicable in accordance with sections 30:4-23 to 30:4-105 and 30:9-45 to 30:9-60 of this Title.
Admitted in order.	Tubercular patients shall be admitted in the order in which the names of applicants appear in the application book.
No discrimination.	No discrimination shall be made in the accommodation, care or treatment of any patient because of any payment of maintenance and no officer or employee shall accept from a patient any fee, payment or gratuity for services.
Further detention.	When in the judgment of the board of managers the further detention of a patient is for his benefit or the benefit of the community, he may be so detained. No patient shall be discharged without first obtaining permission of the superintendent or board of managers.
Custody and control of patients.	The superintendent, if he shall be a physician and if not then such member of the medical staff as shall be so designated by the board of managers, shall have the custody and control of the patients and within the regulations of the board of managers may restrain and discipline a patient in such manner as in his opinion the welfare of the patient requires. He shall discharge a patient whenever cured or whenever further detention would not benefit the patient or the community.

A patient to whom discharge is refused, or any person as his next friend, may apply to the court of common pleas in a summary manner for such discharge. Application to court for discharge.

3. This act shall take effect immediately.

Approved June 4, 1947.

CHAPTER 255

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*:

1. Any person now employed by any State office, bureau or department in a permanent capacity in the classified service and who has been continuously in the employ of the State since and prior to the time when the act to which this act is a supplement became effective, and who was not permitted to join the retirement system for the reason that he was not employed in the classified service at that time and who has since become employed in the classified service of the State and who was not permitted to join the retirement system after such employment in the classified service prior to April twenty-fourth, one thousand nine hundred and thirty-seven, by reason of his age, shall, upon proper written application to the board of trustees, subject to the approval of the board of trustees under such rules and regulations as the board of trustees may adopt, be given the same pension service credit and prior service credit as he would have, if he had joined the system at the time when the act to which this act is a supplement became effective; *provided*, that such member shall also be permitted under such rules and regulations as the Proviso.

C. 43:14-2.10.
May grant
prior service
credit.

board of trustees may adopt to purchase such additional annuity credits as he may desire, not exceeding, however, such annuity credits to which such member would have been entitled if he had joined or had been permitted to join at the time when the act to which this act is a supplement became effective or if employed after that date, at the time when so employed.

2. This act shall take effect immediately.

Approved June 4, 1947.

CHAPTER 256

AN ACT to amend and supplement "An act fixing the compensation of supervisors, identification officers, identification clerks and junior identification clerks in the criminal identification bureaus in the office of the sheriffs of certain counties of this State," approved April thirteenth, one thousand nine hundred and forty-three (P. L. 1943, c. 191).

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

Section
amended.

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

C. 40:41-33.1.
Salary,
identification
officers
and clerks.

1. In counties having a population exceeding three hundred thousand inhabitants wherein criminal identification bureaus in the office of the sheriffs of counties of this State have heretofore or may hereafter be established the supervisors, identification officers and identification clerks shall be compensated as in this act provided.

Section
amended.

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

C. 40:41-33.2.
Salary
schedule.

2. Each such identification officer shall receive a minimum annual salary, which shall be increased

as hereinafter stated until the maximum is reached as follows:

(a) in first-class counties, a minimum annual salary of two thousand seven hundred dollars (\$2,700.00) with a maximum salary of three thousand nine hundred dollars (\$3,900.00),

(b) in all other counties within the population limits of this act, a minimum annual salary of two thousand five hundred dollars (\$2,500.00) with a maximum annual salary of three thousand eight hundred dollars (\$3,800.00).

3. Section five of the act of which this act is amendatory is amended to read as follows:

Section amended.

5. Each such supervisor shall receive:

C. 40:41-33.5.

(a) in first-class counties, a minimum annual salary of three thousand six hundred dollars (\$3,600.00) which may be increased in the discretion of the board of chosen freeholders,

Salary, supervisors.

(b) in all other counties within the population limits of this act, a minimum annual salary of three thousand dollars (\$3,000.00) which shall be increased two hundred dollars (\$200.00) annually until such supervisor shall receive a maximum annual salary of four thousand one hundred dollars (\$4,100.00).

4. Section six of the act of which this act is amendatory is amended to read as follows:

Section amended.

6. The compensation of identification officers and identification clerks shall be increased two hundred dollars (\$200.00) annually until the maximum salary, heretofore mentioned, shall be received by said identification officers and identification clerks.

C. 40:41-33.6.
Increments.

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

Section amended.

9. Supervisors, identification officers and identification clerks who are now receiving less than the prescribed minimum annual salary shall be given such minimum annual salary from and after the first day of the month following the effective date of this act.

C. 40:41-33.9.
To receive minimum.

- Section amended. 6. Section ten of the act of which this act is amendatory is amended to read as follows:
- C. 40:41-33.10. Construing. 10. This act shall not be construed as reducing the annual salary of any supervisor, identification officer or identification clerk.
- C. 40:41-33.16. To be reclassified. 7. All present qualified identification personnel, junior clerks and clerk (identification), having five or more years of service, shall be immediately reclassified to identification clerk, and the junior clerk and clerk (identification) bureau titles are abolished and all future personnel shall start as identification clerks at the minimum salary for identification clerks, as prescribed by this act.
- C. 40:41-33.17. Increments and salaries effective. 8. All increments and salaries resulting from the provisions of this act shall become immediately effective upon the approval of this act.
- C. 40:41-33.18. Titles abolished. 9. The titles of junior identification clerk and clerk (identification) are herewith abolished and such junior identification clerks and clerks (identification) shall hereafter be known and classified as identification clerks for all intents and purposes of this act.
- C. 40:41-33.19. Act effective. 10. This act shall take effect July first, one thousand nine hundred and forty-seven.
- Approved June 10, 1947.

CHAPTER 257

AN ACT to change the name of the State Board of Children's Guardians to the State Board of Child Welfare, and supplementing chapter five of Title 30 of the Revised Statutes.

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

- C. 30:5-1.1. State board of child welfare. 1. The State Board of Children's Guardians as created heretofore, under and by virtue of the laws

of this State, shall on and after the effective date of this act be known and designated as the State Board of Child Welfare. Such State Board of Child Welfare shall have the same organization, powers, duties, obligations and responsibilities as may have been or may hereafter be by designation granted to or imposed upon the State Board of Children's Guardians by any law or statute of this State and particularly as set forth in the provisions of Titles 9, 30 and 44 of the Revised Statutes. It is the intent and purpose of this act that there be established a change in name and designation only, and that any action heretofore taken by the State Board of Children's Guardians pursuant to any law of this State, or any rule or regulation of the said State Board of Children's Guardians, shall remain in full force and effect until altered, amended or revoked by the State Board of Child Welfare pursuant to its powers and duties as now or hereafter established. Any legal agreement, contract or obligation previously entered into by the State Board of Children's Guardians shall continue in full force and effect and shall be binding upon the State Board of Child Welfare for the intents and purposes of such agreement, contract or obligation.

2. This act shall take effect July first, one thousand nine hundred and forty-seven.

C. 30:5-1.2.
Act effective.

Approved June 11, 1947.

CHAPTER 258

AN ACT to provide for the conversion into a trust company of a savings bank with capital stock, and supplementing Title 17 of the Revised Statutes.

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

C. 17:6-77.1.
May become a
trust company.

1. Any savings bank with capital stock incorporated in this State and transacting business in this State on the date of the approval of this act, may become and be a trust company with the same effect as if incorporated pursuant to chapter four of Title 17 of the Revised Statutes.

C. 17:6-77.2.
Method of
conversion.

2. Any such savings bank with shares of capital stock may effect its conversion into a trust company as follows: Its board of managers shall adopt a resolution declaring that such conversion is in the best interests of the savings bank, and shall cause to be prepared an amended certificate of incorporation for such savings bank in which shall be set forth

(a) the name by which such bank shall be known after its conversion is effected;

(b) the street, street number, if any, and the municipality in which the principal office of the bank is to be located, which shall be the same location then occupied by the principal office or a branch office of such bank;

(c) the powers which the bank will be authorized to exercise;

(d) the amount of the capital stock, the number of shares into which it is divided, and the par value of each share;

(e) the number of directors, or that the number of directors shall be not less than a stated minimum or more than a stated maximum;

(f) the names of the persons who will serve as directors until the first annual meeting of stockholders;

(g) such other provisions, not inconsistent with law, as the managers may choose to insert for the regulation of the business and affairs of the bank.

3. The managers shall fix a date for a meeting of stockholders to take action upon its resolution and upon the amended certificate of incorporation, upon such notice, not to exceed twenty days and not to be less than ten days, as the managers may determine. If, at such meeting, or at any adjournment thereof, the holders of at least two-thirds of the capital stock of such bank shall vote, in person or by proxy, to approve (a) the conversion of the bank into a trust company, and (b) the amended certificate of incorporation, the amended certificate of incorporation shall be signed and acknowledged by any two officers of the bank, and shall be transmitted to the Commissioner of Banking and Insurance, together with an affidavit made by any two officers of the bank that the amended certificate of incorporation was presented to the stockholders and approved by them as required by this act.

C. 17:6-77.3.
Meeting, notice
and approval
of plan.

4. If the commissioner of banking and insurance shall be satisfied that the requirements of this act have been met, and that the amended certificate of incorporation contains no provision not permissible under the laws of this State, he shall endorse his approval upon the amended certificate of incorporation and shall file it in the Department of Banking and Insurance, and thereupon the savings bank shall become and be a trust company and shall thereafter be subject to the provisions of chapter four of Title 17 of the Revised Statutes.

C. 17:6-77.4.
Approval by
commissioner.

5. The conversion of a savings bank with shares of capital stock into a trust company pursuant to this act shall not effect a dissolution of such savings bank, or in any manner interrupt or impair the continuity of its corporate existence, nor shall

C. 17:6-77.5.
Not to affect
corporate
status.

any such conversion in any wise affect any right, act, contract or relationship of any such savings bank, or of its stockholders, depositors, creditors or other persons having relations with or claims against such bank.

6. This act shall take effect immediately.
Approved June 11, 1947.

CHAPTER 259

AN ACT concerning the State Highway Department and adding a route to the State highway system and designating the same as a freeway.

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

Additional
route.

Location.

Freeway.

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. 300. Beginning at a point on Route No. 100 in Middlesex county, and thence in a generally southerly and westerly direction through the counties of Middlesex, Monmouth or Mercer or both, Burlington, Camden, Gloucester and into the county of Salem to connection with a proposed new bridge across the Delaware river at or near Deepwater, Lower Penns Neck township, Salem county.

2. The route hereby established is hereby designated as a freeway, as defined in chapter eighty-three of the laws of one thousand nine hundred and forty-five.

3. This act shall take effect immediately.
Approved June 11, 1947.

CHAPTER 260

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

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

1. The State Highway Commissioner shall, as soon as practicable, and in accordance with the procedure set forth in article one of chapter seven, Title 27, of the Revised Statutes, add to the present State highway system the following described route: Route No. . . . Being all that remaining portion of Crown Point road, in the borough of Westville, county of Gloucester, beginning at its intersection with State Highway Route No. 47 and extending to the new construction, of Route No. 45, section 22, and Route No. 44, section 9, a distance of approximately five hundred seventy-five feet. Additional route.
 2. When this route is taken into the State highway system as provided in section one of this act, the State Highway Commissioner shall proceed to give the said route an appropriate number as provided by law. Numbered.
 3. This act shall take effect immediately.
- Approved June 11, 1947.

CHAPTER 261

AN ACT to amend "An act to amend 'An act adding Routes 100 and S-100 to the State highway system,' approved March thirtieth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 50), and designating Route 100 as a freeway," approved April fourth, one thousand nine hundred and forty-six (P. L. 1946, c. 57).

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:

Freeways.

2. Routes Nos. 100 and S-100 hereby established are hereby designated as freeways, as defined in chapter eighty-three of the laws of one thousand nine hundred and forty-five.

2. This act shall take effect immediately.

Approved June 11, 1947.

CHAPTER 262

AN ACT to regulate and control the teaching and practice of nursing and to prescribe penalties for the violations thereof (Revision of 1947).

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

C. 45:11-23.

Terms defined:

Board;

Nursing;

1. Definitions. As used in this act.

a. The words "the board" mean the New Jersey Board of Nursing created by this act.

b. The word "nursing" includes "professional nursing" and "practical nursing." "Professional

nursing" is the performance of any professional service requiring the application of principles of nursing based on biological, physical and social sciences, including responsible supervision of a patient requiring skill in observation of symptoms and reactions and the accurate recording of the facts and carrying out of treatments and medications prescribed by a licensed physician, and the application of such nursing procedures as involve understanding of cause and effect in order to safeguard life and health of a patient and others. "Practical nursing" is the performance of such duties as are required in the care of a patient in carrying out of medical orders prescribed by a licensed physician, requiring an understanding of elementary nursing but not requiring the professional service outlined in the definition of professional nursing.

The terms "nursing," "professional nursing," and "practical nursing" as used in this act shall not be construed to include services performed by attendants, orderlies and ward helpers in hospitals and institutions or by technicians, physiotherapists, or medical secretaries; nor shall any of said terms be construed to include services rendered in accordance with the practice of the religious tenets of any well recognized church or denomination which subscribes to the art of healing by prayer and the principles of which are opposed to medical treatment.

2. The board; appointment of members; terms; C. 45:11-24. oath of office.

a. The board; appointment; terms. The New Jersey State Board of Examiners of Nurses now holding office under the provisions of Revised Statutes, Title 45, chapter eleven, shall constitute the New Jersey Board of Nursing and shall hold office therein until the expiration of the respective periods for which they were appointed to the New Jersey State Board of Examiners of Nurses. Hereafter appointments to the board shall be for the following terms or for the unexpired portion of

Construing.

Board of
examiners
of nurses.

Appointment,
terms.

a term in the case of a vacancy for any cause within a term, and until a successor shall be appointed and qualified: On July first, one thousand nine hundred and forty-seven, one appointment shall be made for a term of three years. On July first, one thousand nine hundred and forty-eight, one appointment shall be made for a term of three years and one appointment for a term of four years. On July first, one thousand nine hundred and forty-nine, one appointment shall be made for a term of four years and one appointment for a term of five years. Thereafter all appointments shall be for a term of five years. Appointments shall be made by the Governor from a list of at least three qualified persons for each appointment to be made whose names shall be submitted to the Governor by the New Jersey State Nurses' Association at least thirty days before the expiration of a term or within thirty days after the occurrence of a vacancy within a term, or as promptly after the time specified as circumstances permit. Upon notice and hearing, the Governor may remove from office any member of the board for neglect of duty, incompetency, unprofessional or dishonorable conduct.

Removal of
members.

Qualifications.

b. Qualifications for appointment. Each member of the board shall be a citizen of the United States and a resident of this State; shall be a graduate from a college or university or have had equivalent preparation as determined by the board of directors of the New Jersey State Nurses' Association; shall be a graduate of an accredited school of nursing within the United States; shall be a registered nurse in this State; shall have had at least five years experience in professional nursing following graduation from an accredited school of nursing and at least two years executive or teaching experience in nursing education; and shall at the time of appointment be actively engaged in nursing or work relating thereto.

Oath.

c. Oath or affirmation of office. Within thirty days after receipt of the commission, each ap-

pointee shall take, subscribe and file in the office of the Secretary of State the oath or affirmation prescribed by law.

d. Duties and powers. The board shall have the following duties and powers: (1) It shall hold annual meetings and such other meetings as it may deem necessary at such times and places as the board shall prescribe and a majority of the board including one officer shall constitute a quorum. (2) It shall elect from its members and prescribe the duties of a president and secretary-treasurer, each of whom shall serve for one year and until a successor is elected. (3) It shall appoint and prescribe the duties of an executive secretary to the board who need not be a member thereof but who shall be a citizen of the United States, a graduate of a college or university with a major in nursing education, a registered nurse of this State with at least five years experience in teaching or administration or both in an accredited school of professional nursing, or have equivalent qualifications as determined by the board. The executive secretary shall hold office during the will and pleasure of the board. (4) It shall employ and prescribe the duties of such persons as in its judgment shall be necessary for the proper performance and execution of the duties and powers of the board. (5) It shall determine and pay reasonable compensation and necessary expenses of the executive secretary and all employees of the board. (6) It shall pay to each member of the board the compensation hereinafter provided. (7) It shall have a common seal, keep an official record of all its meetings, and through its secretary-treasurer report annually to the Governor the work of the board. (8) It shall examine applicants for a license or renewals thereof, issue, renew, revoke and suspend licenses, as hereinafter provided. (9) It shall in its discretion investigate and prosecute all violations of provisions of this act. (10) It shall keep an official record which shall show the name, age, nativity and permanent place of residence of each applicant

Duties and
powers:

Meetings;

Organization;

Executive
secretary;

Assistants;

Salaries;

Records;

Licenses;

Investigations;

Record of
applicants;

and licensee and such further information concerning each applicant and licensee as the board shall deem advisable. The record shall show also whether the applicant was examined, licensed or rejected under this and any prior act. Copies of any of the entries of the record or of any certificate issued by the board may be authenticated by any member of the board under its seal and when so authenticated shall be evidence in all courts of this State of the same weight and force as the original thereof. For authenticating a copy of any entry or entries contained in its record the board shall be paid a fee of one dollar (\$1.00), but such authentication, if made at the request of any public agency of this or any other jurisdiction, may be without fee. (11) In its discretion it may publish at such times as it shall determine a list of nurses licensed under this act, a list of schools of nursing accredited or approved under this act, and such other information as it shall deem advisable. (12) It shall prescribe standards and curricula for schools of nursing and evaluate and approve courses for affiliation. (13) It shall hear and determine applications for accreditation of schools of professional nursing, conduct investigations before and after accreditation of such schools and institutions with which they are affiliated, and issue, suspend or revoke certificates of accreditation as hereinafter provided. (14) It shall approve schools of practical nursing which shall conform to the standards, curricula, and requirements prescribed by the board, and suspend or revoke approval for violations thereof; *provided*, that this power shall not extend to schools operated by any board of education in this State. (15) It may consult with the Medical Society of New Jersey and the New Jersey Hospital Association with respect to any matter relating to the administration of this act and shall consult with those associations with respect to standards and curricula and any change thereof for schools of nursing. (16) It shall issue subpoenas for the attendance of witnesses and pro-

List of nurses.

School curricula.

Accreditation of schools.

Schools of practical nursing;

Proviso;

Consult;

Subpoenas;

duction of documents at any hearing before the board authorized by this act and any member of the board shall administer an oath or affirmation to persons appearing to give testimony at such hearings. (17) It may conduct any investigations, studies of nursing and nursing education and related matters, and prepare and issue such publications as in the judgment of the board will advance the profession of nursing and its service to the public. (18) It shall perform all other functions which are provided in this act to be performed by it or which in the judgment of the board are necessary or proper for the administration of this act. (19) It shall from time to time prescribe rules and regulations not inconsistent with this act.

Publications
to advance
professions;

Other
functions;

Rules and
regulations;

d. Compensation. Each member of the board shall receive fifteen dollars (\$15.00) per day for each day in which such member is actually engaged in the discharge of duties and traveling and other expenses necessarily incurred in the discharge of duties.

Compensation.

3. Secretary-treasurer and executive secretary; bond; accounts; reports. The secretary-treasurer before taking office and the executive secretary before entering upon his or her duties shall each give to the State of New Jersey a bond with surety, in a penal sum to be determined by the board, conditioned for the faithful performance of his or her duties. The secretary-treasurer shall keep an account of all moneys received and expended and shall render a detailed statement thereof to the State Comptroller on June thirtieth of each year or as soon thereafter as practicable and shall also submit to the Governor on June thirtieth of each year or as soon thereafter as practicable a general statement of the work of the board, including therein a statement of the number of applications received, approved and rejected during the year reported upon.

C. 45:11.25.
Bond given.

Accounts kept.

Report.

4. Professional nurses.

a. Qualifications of applicants. An applicant for a license to practice professional nursing shall

C. 45:11-26.
Professional
nurses,
qualifications.

submit to the board evidence in such form as the board may prescribe that said applicant: (1) has attained his or her twentieth birthday; (2) is of good moral character; (3) holds a diploma from an accredited four-year high school or the equivalent thereof as determined by the New Jersey State Department of Public Instruction; (4) has completed a course of professional nursing study in an accredited school of professional nursing as defined by the board and holds a diploma therefrom.

Deemed
to possess
qualifications.

Notwithstanding anything herein contained, any person who possesses the educational and school of professional nursing qualifications for registration required by the law of this State at the time of his or her graduation from an accredited school of professional nursing shall be deemed to possess the qualifications (3) and (4) prescribed hereinabove in this subsection.

b. License.

Issuance
of license.

(1) By examination. The applicant shall be required to pass a written examination in such subjects as the board may determine, which examination may be supplemented by an oral or practical examination or both. Upon successfully passing such examinations the applicant shall be licensed by the board to practice professional nursing.

(2) By endorsement without examination. The board may issue a license to practice professional nursing without examination to an applicant who has been duly licensed or registered as a registered or professional nurse by examination or by original waiver under the laws of another State, territory or possession of the United States, or the District of Columbia, or any province of the Dominion of Canada, if in the opinion of the board the applicant has the qualifications required by this act for the licensing of professional nurses, or equivalent qualifications.

c. Fees. An applicant for a license by examination shall pay to the board at the time of application a fee of fifteen dollars (\$15.00) and at the time of each application for re-examination a fee of ten dollars (\$10.00). An applicant for license without examination shall pay to the board at the time of application a fee of ten dollars (\$10.00). Fees.

d. Nurses registered under a previous law. Any person who on the effective date of this act holds a subsisting certificate of registration as a registered nurse issued pursuant to the provisions of the act repealed by section twenty-two of this act shall be deemed to be licensed as a professional nurse under this act during the calendar year in which this act shall take effect, and such person and any person who heretofore held a certificate of registration under said act hereby repealed as aforesaid shall be entitled to a renewal of such license as in the case of professional nurses licensed originally under this act. Nurses previously registered.

e. Title and abbreviations used by licensee. Any person who holds a license to practice professional nursing under this act shall during the effective period of such license be entitled to use the title "Registered Nurse" and the abbreviation "R. N." The effective period of a license or a renewal thereof shall commence on the date of issuance and shall terminate at the end of the calendar year in which it is issued, and shall not include any period of suspension ordered by the board as hereinafter provided. Titles used by licensee.

5. Practical nursing.

(a) Qualifications of applicants. An applicant for a license to practice practical nursing shall submit to the board evidence in such form as the board may prescribe that the applicant: (1) has attained his or her eighteenth birthday; (2) is of good moral character; (3) has completed two years of high school or the equivalent thereof, as determined by the New Jersey State Department of Public Instruction; (4) has completed a course of study in a school of practical nursing approved C. 45:11-27. Practical nursing: Qualifications;

by the board and holds a diploma therefrom, or holds a diploma from a school of practical nursing operated by a board of education in this State and is certified by the Department of Education as having completed the number of hours of instruction in the subjects in the curriculum prescribed by the board and an approved course of affiliation, or has equivalent qualifications as determined by the board.

Licenses;

b. License.

(1) By examination. The applicant shall be required to pass a written examination in such subjects as the board may determine, which examination may be supplemented by an oral or practical examination or both. Upon successfully passing such examinations, the applicant shall be licensed by the board to practice practical nursing.

(2) By endorsement without examination. The board may issue a license to practice practical nursing without examination to any applicant who has been duly licensed as a practical nurse or a person entitled to perform similar services under a different title by practical nurse examination or by original waiver under the laws of another State, territory or possession of the United States, or the District of Columbia, if in the opinion of the board the applicant has the qualifications required by this act for licensing of practical nurses or equivalent qualifications.

(3) Waiver. If application therefor is made within two years after the effective date of this act, the board may issue without examination a license to practice practical nursing to an applicant who submits to the board evidence in such form as the board may prescribe that the applicant has qualifications (1) and (2) provided in subsection "a" of this section and has had at least two years of satisfactory experience in practical nursing, at least one

year of which shall have been performed in this State except in cases of such nursing performed in an agency or service of the Federal Government; *provided*, that, except in cases of such nursing performed in an agency or service of the Federal Government, such applicant is endorsed under oath by two members of the Medical Society of New Jersey who have personal knowledge of the applicant's qualifications and satisfactory performance of practical nursing and by two persons who have employed the applicant. Proviso;

c. Fees. An applicant for license by examination shall pay to the board at the time of application a fee of ten dollars (\$10.00) and at the time of each application for re-examination a fee of five dollars (\$5.00). At the time of application an applicant for license without examination shall pay to the board a fee of five dollars (\$5.00), and an applicant for license by waiver shall pay to the board a fee of ten dollars (\$10.00). Fees;

d. Title used by licensee. Any person who holds a license to practice practical nursing under this act shall during the effective period of such license be entitled to use the title "Licensed Practical Nurse" but no abbreviation thereof. The effective period of a license or a renewal thereof shall commence on the date of issuance and shall terminate at the end of the calendar year in which it is issued, and shall not include any period or suspension ordered by the board as hereinafter provided. Title used
by licensee.

6. Renewal of license. Applications for renewal of licenses issued under this act shall be made at such times and in such form and contain such information as the board shall prescribe and shall be accompanied by a renewal fee of one dollar (\$1.00). C. 45:11-28.
Renewals.

7. Duplicate licenses. Upon proof satisfactory to the board that a license has been lost, stolen, mutilated or destroyed, and upon payment to it of a fee of five dollars (\$5.00) the board may issue a duplicate license. C. 45:11-29.
Duplicate.

C. 45:11-30.
Change
of name.

8. Change of name. Upon proof satisfactory to the board of change of name by action of a court of competent jurisdiction and upon payment of a fee of two dollars and fifty cents (\$2.50) the board shall note the change of name upon its records and the subsisting license.

C. 45:11-31.
Disposition
of funds.

9. Disposition of funds and other property. All funds in the custody of the secretary-treasurer of the State Board of Examiners of Nurses shall be transferred and delivered to the secretary-treasurer of the board hereby created and from such funds and all fees and penalties received and recovered by the board under this act the board shall make all disbursements necessary for the proper performance and discharge of its duties and powers and the full and effective administration of this act. All records and equipment and other property of the State Board of Examiners of Nurses are hereby transferred to the board.

C. 45:11-32.
Refusal to
renew,
grounds.

10. Refusal to renew a license; revocation or suspension of a license; notice; hearing; review. The board may refuse to renew a license, may suspend a license or revoke a license for any of the following causes: dishonesty; unfitness or incompetency; conduct derogatory to nursing; fraud or willful misrepresentation in an application for license or renewal thereof; willful or repeated violations of any provision of this act; conviction whether by trial or plea of guilty, non vult, or nolo contendere of a crime involving moral turpitude or indicating unfitness to practice nursing or of a violation of this act. The board may revoke any license for mistake of the board with respect to any material matter. No license shall be suspended or revoked or renewal of license refused except upon compliance with the following procedure: A complaint shall be filed with the board specifying the charges and may be made by any member or employee of the board upon information or belief. At least ten days prior to the time fixed for hearing notice of such hearing together with a copy of the complaint shall be served personally or sent by

Revocation,
procedure.

registered mail addressed to the licensee at the licensee's address appearing upon records of the board. Licensee shall have the right to be represented by counsel, to cross-examine witnesses produced against the licensee, and to offer evidence. At the request of licensee or on the board's own motion the board shall issue subpoenas signed by a member of the board to compel the appearance and testimony of witnesses and the production of records and documents, and subpoenas issued at the request of the licensee or his or her counsel shall be delivered to such licensee or counsel for service. There shall be paid to witnesses at the time of service of subpoenas the same fees as in the case of subpoenas issued out of the circuit court. Testimony shall be given under oath or affirmation administered by a member of the board. Any person who shall willfully give false testimony under oath or affirmation in any hearing before the board shall be guilty of perjury. The board shall not be bound by rules of evidence but its determination shall be supported by some competent evidence. The determination of the board suspending or revoking a license, or refusing to issue a renewal of a license after hearing, shall be reviewable by the Supreme Court by certiorari provided that application therefor is made within sixty days after the mailing by the board by registered mail of its determination to the person affected, and a single justice of the Supreme Court may hear and determine the matter. In such certiorari proceedings the factual findings of the board, if supported by any competent evidence, shall be binding upon the court. At any time, within two years after its determination suspending, revoking or refusing to renew a license, the board may in its discretion, for any cause, grant an application for a rehearing and make such redetermination as the case may warrant. The board may also at any time permit a person whose license has been revoked or whose application for renewal has been denied, to make an original application for a new license on such

Review of
decision.

terms and conditions as in the judgment of the board are just and equitable.

C. 45:11-33.

Schools:
Application for
accreditation;

11. Schools of professional nursing.

a. Application for accreditation. Any person, partnership, association, corporation or public educational institution desiring to conduct a school of professional nursing shall submit to the board evidence in such form as the board may require that the applicant: (1) is equipped to give the course of instruction and practice set forth in the curriculum prescribed by the board, part of which instruction and practice may, with the approval of the board, be given by arrangement with one or more agencies or institutions approved by the board for that purpose; (2) is affiliated with a hospital of such size and facilities as the board may prescribe; (3) meets such other standards and requirements as the board may prescribe. In any case other than an application by a public educational institution the board may require evidence of good moral character of all persons directly or indirectly interested in the operation of such school. Upon approval of the application the board shall issue a certificate of accreditation, which may be conditional during the first year.

Certificate
issued;

Rights and
obligations.

b. Rights and obligations of holders of certificates of accreditation. The holder of a certificate of accreditation shall have the right during the effective period of the certificate of accreditation to conduct a school of professional nursing. The effective period of such certificate or a renewal thereof shall commence on the date of issuance and shall terminate at the end of the fiscal year, July first to June thirtieth, in which it is issued, and shall not include any period of suspension ordered by the board as hereinafter provided. An accredited school of professional nursing shall admit as students only persons possessing the preliminary educational requirements set forth in section four hereof, shall abide by and conform to the curriculum and standards of operation prescribed from time to time by the board, shall make such reports

to the board as the board may require, and shall submit to such investigations by representatives of the board as the board may require.

12. Renewal of certificates of accreditation. Applications for renewal of certificates of accreditation issued under this act shall be made at such times and in such form and contain such information as the board shall prescribe. C. 45:11-34. Renewals.

13. Refusal to renew a certificate of accreditation; suspension or revocation of certificates of accreditation. The board may refuse to renew a certificate of accreditation, may suspend or revoke a certificate of accreditation for any of the following causes, attributable either to the holder of the certificate or to any person interested directly or indirectly in the operation of the school of nursing: fraud or willful misrepresentation in connection with an application for a certificate or renewal thereof; dishonesty; unfitness or incompetency; conduct derogatory to nursing; willful failure to conform to the curriculum, standards, or rules and regulations prescribed by the board; a willful violation or repeated violations of any provision of this act; conviction whether by trial, plea of guilty, non vult, or nolo contendere of any crime involving moral turpitude or evidencing unfitness to conduct a school of nursing or of a violation of this act; failure after notice from the board to remove unfit or incompetent personnel of a school. The board may revoke any certificate for mistake of the board with respect to any material matter. C. 45:11-35. Refusal to renew, grounds.

Except insofar as inappropriate hereto, the provisions of section ten of this act shall apply to proceedings for suspension or revocation of a certificate and to a refusal to renew a certificate under this section. Provisions to apply.

14. Failure to obey subpoena. Any person who, having been personally served with a subpoena issued by the board and given or tendered the fees prescribed herein, shall, without legal excuse, fail to appear before the board, or fail to produce records or documents required to be produced by the C. 45:11-36. Failure to obey process, penalty.

subpœna, or fail or refuse to testify or to answer any proper question, shall forfeit for each offense a penalty of two hundred dollars (\$200.00), which shall be recoverable by the board in an action brought in its name in any civil court of this State having jurisdiction of an action to recover a penalty. In addition to the foregoing remedy the board may apply to the Supreme Court, or to a justice thereof, who shall have the power of the court for that purpose, upon proof by affidavits of the facts, for an order returnable in not less than two or more than ten days directing such person to show cause before the court or the justice thereof who made the order, or to any other justice, why he or she should not comply with the subpœna or order of the board, and upon the return of such order the court or justice before whom the matter may come on for hearing, shall examine under oath the person whose testimony may be relevant and such person shall be given an opportunity to be heard, and if the court or justice determines that such person shall be given an opportunity to be heard, and if the court or justice determines that such person refused, without legal excuse, to obey the command of such subpœna to be examined or to answer a proper question or to produce a record or documents which he or she was ordered to produce, said court or justice may order said person to comply forthwith with the subpœna or order of the board, and any failure to obey such order of the court or justice may be punished by the court or justice as a contempt of such Supreme Court.

C. 45:11-37.
Violations.

15. Violations of the act. It shall be unlawful for any person (including any corporation, partnership, association or individual):

a. To represent in any way that such person is a registered nurse or to use after his or her name the abbreviation "R. N." unless such person holds a subsisting, unsuspended license as a professional nurse under this act; or

b. To represent in any way that such person is licensed as a practical nurse or to use the title

“licensed practical nurse” unless such person holds a subsisting, unsuspended license as a practical nurse under this act; or

c. After two years after the effective date of this act, to conduct or to represent in any way that such person conducts a school for professional nursing, unless such person holds a subsisting, unsuspended certificate of accreditation under this act.

d. After two years after the effective date of this act, to represent in any way that such person conducts a school for practical nursing approved by the board unless such person holds the subsisting, unsuspended approval of the board.

e. To obtain or attempt to obtain by fraud a license or renewal thereof or a certificate of accreditation or a renewal thereof under this act; or

f. To represent in any way that such person is authorized to issue a license for the practice of professional nursing or practical nursing or a certificate of accreditation for a school of professional nursing; or

g. To transfer, offer to transfer, or permit the use by another of any license issued under this act; or

h. Without the approval of the board, to transfer, offer to transfer, or permit the use by another of a certificate of accreditation issued under this act; or

i. Otherwise to violate any provision of this act; or

j. To aid or abet any person to violate any provision of this act.

Every person violating any of the foregoing provisions of this section shall be subject to a penalty of two hundred dollars (\$200.00) for each violation, and if after conviction as hereinafter provided such person shall again violate any provision of this act, such person shall be subject to a penalty of five hundred dollars (\$500.00) for each subsequent offense. A voluntary payment of a penalty for a violation of any provision of this act shall be deemed to be a conviction rendering such

person liable for the greater penalty for subsequent violations, and the continuation of an offense after conviction shall be deemed to be a subsequent offense.

C. 45:11-38.
Recovery
of penalty.

16. Recovery of penalties provided in section 15. The penalties provided for by section fifteen shall be sued for and recovered by and in the name of the board. Every district court and every court of common pleas is hereby empowered, upon the filing of a complaint in writing duly verified, which verification when made by any member of the board may be made upon information and belief, that any person has violated any provision of this act, to issue process at the suit of the board as plaintiff. The process shall be either in the nature of a summons or a warrant, which process may issue without an order of the court or judge 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; and such process shall state what provision or provisions of the law are alleged to have been violated by the defendant. The officers to serve and execute all process under this section shall be the officers authorized to serve and execute process in said courts. In any action to recover such penalty, the certification of any member of the board under the seal of the board, that at the time of the offense charged the defendant was not licensed or the defendant's license was suspended, shall be received in evidence and shall be prima facie proof of the facts so certified.

Service
of process.

C. 45:11-39.
Judgment.

17. Judgment; commitment of defendant for non-payment; defendant to be detained, unless bond filed, upon adjournment of trial. Upon the return of such process, or at any time to which the trial shall be adjourned, the 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 of the

plaintiff for the recovery of such penalty, with costs, or for the defendant. If judgment be rendered for the plaintiff the court shall cause any defendant, who refuses or neglects forthwith to pay the amount of the judgment rendered against such defendant and all the costs and charges incident thereto, to be committed to the county jail for a period of not less than ten days and not exceeding one hundred days in the case of a first conviction, and for a period of not less than thirty days and not more than two hundred days in the case of a subsequent conviction. The district court or court of common pleas shall have power to adjourn the hearing or trial from time to time, but, except in cases in which the first process was a summons, it shall be the duty of the judges thereof to detain the defendant in safe custody, unless the defendant shall enter into bond to the board, with at least one sufficient surety in double the amount of the penalty claimed, conditioned for the defendant's 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. The bond, if forfeited, may be prosecuted by the board. All penalties recovered for any violations of this act and all recoveries upon such bonds shall be paid to the board. Neither the commitment of a defendant nor the confinement of a defendant for all or any period prescribed in the commitment shall be deemed to constitute payment of the judgment.

Commitment.

Defendant
detained.

18. Form of conviction. The convictions in prosecution under this chapter shall be in the following or similar form:

C. 45:11-40.
Form of
conviction.

“State of New Jersey
County of } ss.

Be It Remembered, that on this
day of at
in said county, C. D., defendant, was by (the
district court of, or the court

of common pleas of the county of, as the case may be), convicted of violating section of chapter of the laws of one thousand nine hundred and forty-seven, in a summary proceeding at the suit of the New Jersey Board of Nursing 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.”

C. 45:11-41.
Signing
conviction.

19. Signing of conviction; form of commitment. The conviction shall be signed by the judge of the court before whom the conviction is had. If 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 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 (or she) 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 purposes of a warrant of commitment.

C. 45:11-42.
Signing and
sealing process.

20. Signing and sealing of process; docketing of judgments in district courts; issuance of execution. 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 section, 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 by the board in the event of the conviction of the defendant. A judgment recovered for a penalty under the provisions of this section in any district court may be docketed in the same manner as judgments in said court are docketed under the provisions of article fourteen of chapter thirty-two of the Title, Administration of Civil and Criminal Justice (2:32-186 et seq.). Execution may issue for the collection of any judgment obtained under this section against the personal property and body of the defendant without an order first obtained for that purpose.

Judgment
docketed.

21. Court of Chancery jurisdiction to restrain violations of this act. The Court of Chancery of this State is hereby vested with the jurisdiction and discretionary power at the suit of the Attorney-General or of the board to prevent and restrain any violation of this act.

C. 45:11-43.
Court of
jurisdiction.

22. Section 18:20-4 of the Revised Statutes is hereby repealed. Sections 45:11-1 to 22, inclusive, of the Revised Statutes are hereby repealed; *provided, however*, that the said sections shall continue in effect for the following purposes, the necessary powers and duties vested by said sections in the New Jersey State Board of Examiners of Nurses being hereby transferred to the board:

C. 45:11-44.
Repealer.

Proviso.

a. to complete all proceedings with reference to applications for registration under said chapter filed with the New Jersey State Board of Examiners of Nurses prior to the effective date of this act;

b. to complete and to institute and complete all proceedings for revocation of certificates of registration issued under that chapter by reason of any facts arising prior to the effective date of this act.

The board is hereby empowered to take over and complete all unfinished undertakings or projects of the New Jersey State Board of Examiners of Nurses and to assume and pay all obligations incurred by that board.

Board
empowered
to take over.

Note:
Sections
severable.

23. Should any section or provision of this act or its application to any person in any situation be held to be invalid for any reason by any court of competent jurisdiction, such invalidity shall not affect the validity of this act as a whole or any part thereof, other than the portion or the application of any portion so held to be invalid.

24. This act shall take effect immediately.

Approved June 11, 1947.

CHAPTER 263

AN ACT concerning relief of certain persons who served in the active military or naval forces of the United States, and supplementing chapter eighteen of Title 38 of the Revised Statutes.

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

C. 38:18A-1.
Veteran
defined.

1. As used in this act, the word "veteran" means and includes any officer, soldier, sailor, marine, nurse or any other person, male or female, regularly enlisted or inducted, who was, or shall have been a part of the active military or naval forces of the United States, and who took part in any war in which the United States was engaged, or who took part or shall have taken part in the present wars with the governments of Japan, Germany and Italy, or any of them, and who was a resident of this State at the time he was or shall be commissioned, enlisted, inducted, appointed or mustered into the active military or naval service of the United States, and who has been or shall have been given an honorable or ordinary discharge or release therefrom and continues to be a resident of this State.

C. 38:18A-2.
Pension for
paraplegics.

2. A veteran who served in the active military or naval forces of the United States and who is suf-

fering from paraplegia and has permanent paralysis of both legs and lower parts of the body, resulting from traumatic injury to the spinal cord or brain, sustained through enemy action, or accident while in such active military or naval service, shall be paid for the term of his life the sum of five hundred dollars (\$500.00) annually in monthly payments. Such payments shall be due and payable from the date of his discharge or release if application therefor shall be made within one year from the date of such discharge or release. If the application shall be made after one year from the date of his discharge or release, such payment shall be due and payable from the date of such application. Accrued payments to the date of certification shall be paid in one lump sum. Payment.

Nothing in this act shall be intended to include paraplegia resulting from locomotor ataxia and other forms of syphilis of the central nervous system, chronic alcoholism, malaria, anemia, other forms of disease, tumors, or poisoning which may produce signs and symptoms similar to those resulting from traumatic paraplegia. No relief to be granted.

3. Evidence of the service and disability mentioned in this act shall be furnished to the Division of Veterans' Services of the Department of Economic Development, which shall examine the same and upon being satisfied that the service was performed and the veteran has been rendered permanently paralyzed, as defined in section two of this act, shall so certify to the State Comptroller who shall, upon receipt thereof, draw his warrant on the State Treasurer in favor of the applicant in the sum of five hundred dollars (\$500.00) annually, which the State Treasurer shall pay out of the money appropriated therefor by the Legislature. C. 38:18A-3.
Evidence furnished.

4. This act shall take effect immediately.

Approved June 11, 1947.

CHAPTER 264

AN ACT concerning foreign commissioners of deeds,
and amending section 52:6-12 of the Revised
Statutes.

BE IT ENACTED *by the Senate and General Assem-
bly of the State of New Jersey*:

Section
amended.

1. Section 52:6-12 of the Revised Statutes is
amended to read as follows:

Secretary
of State
to appoint.

52:6-12. The Secretary of State may appoint
such number of commissioners resident in each of
the States and territories of the United States and
the District of Columbia as he may deem expedient,
except where such appointments are incompatible
with the laws of the jurisdiction wherein such com-
missioners shall reside. Persons thus appointed
shall be commissioned by the Governor.

Designation
used in
certificates.

Each commissioner so appointed shall be desig-
nated a "foreign commissioner of deeds for New
Jersey," and may be so described in his ap-
pointment and commission or as a "commissioner
for taking the acknowledgment or proof of deeds
for New Jersey in (such State, territory or dis-
trict)." He may use either of such designations
in his certificates. The fees required to be paid for
the issuance of any commission to a person ap-
pointed as foreign commissioner of deeds for New
Jersey shall be paid to the Secretary of State, who
shall account to the State Treasurer for the same.

Fee paid
to Secretary
of State.

2. This act shall take effect July first, one thou-
sand nine hundred and forty-seven.

Approved June 11, 1947.

CHAPTER 265

AN ACT to validate the receipt and use by the boards of chosen freeholders of certain fees collected by county tax boards.

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

1. All actions of county boards of taxation heretofore taken in the collection of fees for filing petitions of appeals and in paying same to the county treasurer, be and the same are hereby ratified, confirmed, validated and in all respects declared legal and effectual, and all actions heretofore taken by any county treasurer in receiving such fees from the county boards of taxation and accounting and disposing of the same as county revenue, be and the same are hereby ratified, confirmed, validated and in all respects declared legal and effectual.

Collection of
certain fees
validated.

2. This act shall take effect immediately.

Approved June 11, 1947.

CHAPTER 266

AN ACT concerning the dredging of certain shoal areas in the Metedeconk river and in a connecting channel known as Gunners Ditch and making an appropriation therefor.

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

1. There is hereby appropriated to the Department of Conservation, Division of Navigation, if and when included in any annual or other appropriation bill, the sum of ninety thousand dollars (\$90,000.00) to dredge certain shoal areas in the Metedeconk river, Brick township, Ocean county,

Appropriation.

and a connecting channel in the Metedeconk river known as Gunners Ditch.

2. This act shall take effect immediately.

Approved June 11, 1947.

CHAPTER 267

AN ACT concerning workmen's compensation, and amending section 34:15-54 of the Revised Statutes.

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

Section
amended.

1. Section 34:15-54 of the Revised Statutes is amended to read as follows:

Dismissal
of petition,
notice.

34:15-54. No petition shall be dismissed for want of prosecution or for failure to formally adjourn the cause, until after notice shall be served by the respondent on the petitioner or his attorney that unless the cause is moved for hearing within one month from the date of the service thereof, the claim will be considered abandoned and the petition dismissed subject, however, to the right to have the petition reinstated for good cause shown, upon application made to the deputy commissioner before whom the matter was heard or to the Commissioner of Labor within one year thereafter. No claim heretofore made shall be considered abandoned because the petition was dismissed under this section, if such petition has been reinstated for good cause shown, and such petition shall be deemed to have been dismissed without prejudice to further proceedings upon said petition, and further proceedings thereon shall be as effective as though said petition had not been dismissed.

Abandonment
of claim.

2. This act shall take effect immediately.

Approved June 11, 1947.

CHAPTER 268

AN ACT to provide for the conversion into a savings bank of a mutual savings association, and supplementing Title 17 of the Revised Statutes.

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

1. Any mutual savings association heretofore incorporated under any law of this State for the purpose of investing and accumulating the periodical and other contributions of the associators for the creation of a fund to be finally distributed equally among them may become and be a savings bank with the same effect as if incorporated pursuant to Title 17, chapter six, of the Revised Statutes.

C. 17:6A-1.
Conversion
into savings
bank.

2. Any such mutual savings association may effect its conversion into a savings bank as follows: Its board of managers shall adopt a resolution declaring that such a conversion is in the best interests of the mutual savings association, and shall cause to be prepared an amended certificate of incorporation for such association in which shall be set forth

C. 17:6A-2.
Method of
conversion.

(a) the name by which such association shall be known after its conversion is effected;

(b) the street, street number, if any, and municipality in which such association will maintain its principal office after its conversion, which shall be the same location then occupied as its principal office or a branch office;

(c) the number of managers, or that the number of managers shall be not less than a stated minimum or more than a stated maximum;

(d) the names of the persons who will serve as managers until their successors are elected and qualify;

(e) such other provisions, not inconsistent with law, as the managers may choose to insert for the regulation of the business and affairs of the savings bank.

C. 17:6A-3.
Notice of
intention,
publication.

3. The board of managers shall publish notice of the intention of the mutual savings association to convert itself into a savings bank, at least once a week for four successive weeks in a daily newspaper published and circulated in the municipality in which the mutual savings association maintains its principal office, or, if there be no such newspaper, then in one published in the county in which such association maintains its principal office, or in an adjoining county, and which has a general circulation in such municipality. Such notice shall be directed to the members of the mutual savings association; shall state the purpose of the association to be converted into a savings bank; and shall inform members that they may inspect the proposed amended certificate of incorporation at the association's principal office during usual banking hours.

C. 17:6A-4.
Amended
certificate.

4. Upon expiration of the period of publication, the amended certificate of incorporation, executed and acknowledged by two officers of the association, together with proof of publication, and together with an affidavit made by such officers that the requirements of this act have been complied with, shall be transmitted to the commissioner of banking and insurance. If the commissioner shall be satisfied that the requirements of this act have been complied with, and that the amended certificate of incorporation contains no provision not permissible under the laws of this State, he shall endorse his approval upon the amended certificate of incorporation, and shall file it in the department of banking and insurance, and thereupon the mutual savings association shall become a savings bank and shall thereafter be subject to the provisions of Title 17, chapter six, of the Revised Statutes.

Approval by
commissioner.

5. The conversion of a mutual savings association into a savings bank pursuant to this act shall not effect a dissolution of such mutual savings association, or in any manner interrupt or impair the continuity of its corporate existence; nor shall any such conversion in any wise affect any right, act, contract, or relationship of any such association, or of its members, creditors, or other persons having relations with or claims against such association or bank.

C. 17:6A-5.
Not to effect
a dissolution,
or impair
corporate
existence.

6. This act shall take effect immediately.

Approved June 11, 1947.

CHAPTER 269

AN ACT concerning secretaries to municipal boards of alcoholic beverage control in certain municipalities of this State, 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*:

1. Any board of alcoholic beverage control established pursuant to section 33:1-5 of the Revised Statutes may, with the approval of the governing board or body of the municipality, appoint a secretary, who shall receive such annual salary as shall be fixed by such governing board or body of the municipality; but any person now serving any such board with the title of clerk to the chairman shall be designated as secretary to such board.

C. 33:1-5.4.
May appoint
secretary.

2. This act shall take effect immediately.

Approved June 11, 1947.

CHAPTER 270

AN ACT concerning secretaries to mayors in cities of the second class.

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

C. 40:171-188.3.
May appoint
secretary.

1. In any city of the second class the mayor may appoint a secretary who shall hold office at the pleasure of the mayor and shall receive such salary as shall be fixed by resolution of the governing body of the municipality.

2. This act shall take effect immediately.

Approved June 11, 1947.

CHAPTER 271

AN ACT concerning public employment, and amending section 38:23-2 of the Revised Statutes.

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

Section
amended.

1. Section 38:23-2 of the Revised Statutes is amended to read as follows:

To give leave
of absence to
certain
veterans.

38:23-2. The head of every public department and of every court of this State, every superintendent or foreman on the public works of this State, the heads of the county offices of the several counties and the head of every department, bureau and office in the government of the various municipalities, shall give a leave of absence with pay to every person in the service of the State, county or municipality who is a duly authorized representative of the Grand Army of the Republic, United Spanish-American War Veterans, Disabled

American Veterans of the World War, Veterans of Foreign Wars, Indian War Veterans, American Legion, Jewish War Veterans of the United States, Catholic War Veterans of the United States, Women's Overseas Service League, American Veterans World War II and the Twenty-ninth Division Association, to attend any State or national convention of such organizations.

A certificate of attendance to the State convention or encampment shall, upon request, be submitted by the representative so attending. Certificate of attendance.

Leave of absence shall be for a period inclusive of the duration of the convention with a reasonable time allowed for time to travel to and from the convention. Length of leaves.

Approved June 11, 1947.

CHAPTER 272

AN ACT concerning consolidated school districts and providing for the inclusion of certain persons holding office, position or employment therein within the classified service of the civil service.

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

1. When any two or more school districts shall form or shall have formed a consolidated school district and all of the municipalities constituting such consolidated school district have adopted the provisions of Title 11, Civil Service, of the Revised Statutes, all persons holding office, position or employment under the board of education of such consolidated school district, except teachers, shall be included within the classified service of the civil service without examination. C. 11:20A-2. Included within classified service.

2. This act shall take effect immediately.

Approved June 11, 1947.

CHAPTER 273

AN ACT to amend "A supplement to 'An act to provide for temporary bonus for certain persons holding public office, position, or employment, whose compensation is paid by any county, municipality, school district, or other political subdivision of this State, or by any board, body, agency, or commission of any county, municipality, or school district of this State,' approved December twenty-seventh, one thousand nine hundred and forty-one (P. L. 1941, c. 404), as said title was amended by chapter thirty-one of the laws of one thousand nine hundred and forty-three, and providing certain authority for the Civil Service Commission with relation thereto, in counties, municipalities and school districts operating under Title 11 of the Revised Statutes (Civil Service)," approved April twenty-ninth, one thousand nine hundred and forty-six (P. L. 1946, c. 193).

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:

Bonus.

1. In counties, municipalities and school districts operating under Title 11 of the Revised Statutes (Civil Service), in all cases where, under the provisions of the act to which this is a supplement, bonus payments have been heretofore or shall hereafter be granted and paid in any department under the jurisdiction of the board of chosen freeholders, common council, governing body, board of education, board, body or officer by whatsoever name, of any county, municipality or school district, such

bonus shall apply and be paid generally to all persons holding office, position or employment in such department without discrimination among such persons; *provided, however*, that it shall not be considered an act of discrimination where it shall be established to the satisfaction of the Civil Service Commission that any bonus payment to any person or persons holding an office, position or employment in any such department has been given in lieu of, and to compensate such person or persons because of being excluded from, salary increases granted generally to persons in such department. Notwithstanding any provisions to the contrary contained in the act to which this is a supplement, the discretion conferred upon such board of chosen freeholders, common council, governing body, board of education, board, body or officer by whatsoever name, of any county, municipality or school district, is hereby limited so that in the exercise thereof there shall be no discrimination among the persons holding office, position or employment in such department.

Proviso, as to
discrimination.

Bonus payments on the basis of a percentage of salary, pursuant to the act to which this is a supplement, shall not be deemed to be discriminatory under this act; *provided*, that the same percentage of salary or the same amount of bonus shall be granted to all permanent employees within the specified salary ranges. The provisions of this act shall not be deemed to entitle any persons to a bonus or to authorize the payment of a bonus to any person whose regular annual rate of the usual or regular salary or pay is more than five thousand dollars (\$5,000.00) per annum, for any period either preceding or following the adoption of this act.

Not deemed
discrimination.

Proviso.

Not to apply.

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

Section
amended.

2. No comptroller, or other fiscal officer of a county, municipality or school district, operating under Title 11 of the Revised Statutes (Civil Service) shall draw, sign or issue a warrant on the

Certificate
required.

treasurer or any other disbursing officer thereof, for the payment of any bonus to any person holding office, position or employment, unless an estimate, payroll or account for the same, containing the names of every such person, shall bear the certificate of the Civil Service Commission.

Section
amended.

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

Hearings
on alleged
discrimination.

3. In every county, municipality or school district, operating under Title 11 of the Revised Statutes (Civil Service), the Civil Service Commission, either as a body or through a single commissioner, may on its own initiative, or shall, upon complaint, make investigation and conduct hearings concerning any alleged discrimination in the granting and payment of bonus under this act. If, in the judgment of the Civil Service Commission or Commissioner, as the case may be, it is found that discrimination exists, the Civil Service Commission shall order its elimination from the date of its occurrence, and any continuance thereof, and upon failure of compliance with such order, shall withhold certification of all bonus payments in such department until such discrimination is discontinued.

4. This act shall take effect immediately.

Approved June 11, 1947.

CHAPTER 274

AN ACT to amend "An act creating a lien in favor of State and county institutions upon the real and personal property of persons receiving care and treatment therein, and supplementing Title 30 of the Revised Statutes," approved May twenty-fifth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 239).

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

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

1. Every charitable institution maintained in whole or in part by State or county funds, to which persons have been or may be committed or admitted by virtue of Title 30 of the Revised Statutes, shall have a lien against the property of persons confined or who had been confined therein, for the total cost of the care and maintenance of the patient in such institution at the per capita cost rate of maintenance fixed in accordance with law. Such lien when properly filed as set forth herein shall have priority over all unrecorded encumbrances and shall be at the rate to be determined as provided in Title 30 aforesaid. C. 30:4-80.1.
To have lien.

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

2. The lien shall be in form to be prescribed by the State Department of Institutions and Agencies and shall contain the name of the patient, date of admission, rate of maintenance, name of institution making claim and amount of accumulated delinquent maintenance at the date of filing said lien, together with notice of rate of accumulation thereafter. The lien shall be signed by the chief executive officer of the institution or his duly constituted agent. Nothing herein contained shall preclude C. 30:4-80.2.
Form of lien.

said institution from recovering for maintenance furnished but not covered by any lien.

Section
amended.

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

C. 30:4-80.4.
Patient found
to have
property,
lien filed.

4. If it is found that any patient is possessed of any goods, rights, credits, chattels, moneys or effects which are held by any person, firm or corporation for the present or subsequent use of said patient, then the lien provided for herein, or a notice of the existence thereof, may be forwarded by registered mail to said person, firm or corporation and shall become binding upon any property rights so held. Such person, firm or corporation shall thereafter be precluded from disposing of said property rights until said lien is satisfied or until the holder of the lien consents thereto.

Held liable.

Any person, firm or corporation disposing of any such property or moneys after receipt of notice of said lien shall be liable to the institution for the value of such property or moneys of which disposition has been made.

Section
amended.

4. Section six of the act of which this act is amendatory is amended to read as follows:

C. 30:4-80.6.
Discharging
lien.

6. To discharge any lien or liens filed hereunder, the chief executive officer of the institution claiming the lien or his duly constituted agent shall file with the clerk of the county, register of deeds and mortgages or clerk of the Supreme Court, as the case may be, a duly acknowledged certificate setting forth the fact that the institution desires to discharge the lien of record.

May com-
promise lien.

The board of managers or board of freeholders, or a proper committee thereof, as the case may be, is hereby authorized to compromise for settlement any lien filed under the provisions of this act for the maintenance of any patient. A memorandum of the compromise and settlement shall be entered in the official minutes of the board or committee and shall be sufficient authorization for a complete discharge of the lien.

Entry.

Approved June 11, 1947.

CHAPTER 275

AN ACT concerning district courts, and amending
section 2:32-97 of the Revised Statutes.

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

1. Section 2:32-97 of the Revised Statutes is Section amended.
amended to read as follows:

2:32-97. A district court may, at the request of Cause marked "not moved."
either party to an action commenced therein, or
in their absence or upon failure to diligently prosecute the action or proceeding, order the cause marked "not moved."

Either party may thereupon, within two years Listing for trial.
from the day upon which the cause was marked
"not moved" and not thereafter, bring the cause
to trial by directing the clerk of the court to put
the cause on the list for trial after which it may
be adjourned pursuant to section 2:32-93 of this
Title.

The party directing the cause to be listed shall Notice.
serve the adverse party with a written notice at
least five days in advance thereof, proof of which
service shall be filed with the clerk of the court.
The notice shall be served upon the adverse party
personally or by substituted service in the same
manner as a summons is served or upon his attorney who has appeared in the cause.

In default of directing the cause to be put on Discontin-
tinuance.
the list and the service of notice as above provided,
the cause shall be considered discontinued.

2. This act shall take effect immediately.

Approved June 11, 1947.

CHAPTER 276

AN ACT concerning the State Employees' Retirement System of New Jersey, and amending section 43:14-29 of the Revised Statutes.

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

Section
amended.

1. Section 43:14-29 of the Revised Statutes is amended to read as follows:

To receive
accumulated
deductions.

43:14-29. A member who withdraws from service or ceases to be an employee for any cause other than death or retirement shall receive all, or such part as he demands, of the accumulated deductions standing to the credit of his individual account in the annuity savings fund. Except as provided for in section 43:14-2.2 of this Title, he shall cease to be a member two years from the date he discontinued service as an employee, or, if prior thereto, upon the date when payment to him on demand of his accumulated deductions exceeds one-half of the accumulated deductions. The board of trustees may, in its discretion, withhold, for not more than one year after a member ceases to be an employee, all or part of his accumulated deductions, if he previously withdrew from the annuity savings fund all or part of his accumulated deductions and failed to redeposit that amount to the credit of his individual account in the fund.

May withhold
deductions.

Payment
to estate.

If a contributor dies before retirement his accumulated deductions shall be paid to his estate or to such person as he shall have nominated by written designation duly executed and filed with the board of trustees; *provided*, that the widow of a contributor with credit for twenty or more years of total service who dies before retirement and on whose account no benefit is payable under the provisions of section 43:14-37 of this Title as the result of death in active service in the actual per-

Proviso.

formance of duty, may, if she is the person duly designated to receive the contributor's accumulated deductions, elect to receive in lieu thereof an annuity payable to her which shall be the actuarial equivalent of such accumulated deductions and a pension which shall be equal to such annuity, but the said pension element shall in no case exceed four hundred twenty dollars (\$420.00) a year; *pro-* Proviso.
vided further, that such widow may elect to receive not more than one-half of such accumulated deductions in a lump sum, in which event the annuity payable to her shall be the actuarial equivalent of such accumulated deductions not paid in a lump sum, but the amount of the pension otherwise payable shall not be changed thereby. If the member has not had twenty years of service or if such person as he shall have nominated is other than a widow, such person as he shall have nominated may elect to receive the amount payable in one sum or in equal installments as an annuity certain over a period of years or as a life annuity, with interest computed at the regular rate of four per centum (4%) per annum.

The provisions of this section shall apply to the Construction.
widow of any contributor with credit for twenty or more years of total service before retirement who died between April twenty-first, one thousand nine hundred and forty-four, and May first, one thousand nine hundred and forty-six.

2. This act shall take effect immediately.

Approved June 11, 1947.

CHAPTER 277

AN ACT to regulate elections, to amend section 19:31-14 and supplement chapter thirty-one of Title 19 of the Revised Statutes.

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

Section
amended.

1. Section 19:31-14 of the Revised Statutes is amended to read as follows:

To transfer
permanent
registration
forms.

19:31-14. When a new district has been created or the boundaries of any district have been changed, the commissioner shall transfer the permanent registration forms of registered voters whose voting districts have been changed, of which change the registrant may be notified by postal card. Within ten days after the creation of any such new district, the commissioner of registration shall notify the Secretary of State of such fact.

Notice to
Secretary
of State.

Not to
invalidate
right to vote.

The registration of a voter shall not be invalidated by such alteration nor shall the right of any registered voter to vote be prejudiced by any error in making the transfers of the registration forms.

C. 19:31-14.5.
Number of
registrants
certified.

2. At least ten days prior to the general election, the commissioner shall transmit and certify to the Secretary of State a report of the total number of registrations in his said county.

3. This act shall take effect immediately.

Approved June 11, 1947.

CHAPTER 278

AN Act concerning the compensation of certain jail keepers of jails in the custody and charge of boards of chosen freeholders, in certain counties of the second and fifth classes, and supplementing article four of chapter eight of Title 30 of the Revised Statutes.

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

1. The compensation of jail keepers of jails, in counties of the second and fifth classes having a population of more than two hundred thousand, of which the custody, rule, keeping and charge has been taken over by the board of chosen freeholders of any county pursuant to section 30:8-24 of the Revised Statutes, shall be the same as that of court attendants of the county, subject to the approval of the board of chosen freeholders, but this section shall not be construed as reducing or authorizing the reduction of the compensation of any such jail keeper as the same was fixed on the effective date of this act.

C. 30:8-24.1.
Salaries,
jail keepers.

2. This act shall take effect immediately.

Approved June 11, 1947.

CHAPTER 279

AN ACT concerning veterans, and amending section 43:4-2 of the Revised Statutes.

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

Section amended.

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

Retirement of veterans.

43:4-2. When an honorably discharged soldier, sailor or marine has or shall have been for twenty years continuously or in the aggregate in office, position or employment of this State or of a county, municipality or school district or board of education, the body, board or officer having power to appoint his successor in case of vacancy may, with his assent, order his retirement from such service, or he shall be retired on his own request.

Pension to widow.

When an honorably discharged soldier, sailor or marine having forty years of continuous service in office, position or employment in this State shall, while serving in the present war between the United States and Germany and Japan, lose his life in the performance of his duties, there shall be paid to his widow, during the term of her natural life, or so long as she remains a widow, a pension to which such veteran would have been entitled had he retired under the provisions hereof. This act shall be retroactive to include such veterans who lost their lives in the performance of duty within one year prior to the passage hereof. Such pension shall be calculated and paid in the manner provided by section 43:4-3 of the Revised Statutes. There shall be deducted from such pension payments any pension payment made or made available to such widow from the United States Government on account of the services of such veteran or because of the loss of his life in the performance of such duty.

Act retroactive.

Amount of U. S. pension deducted.

2. This act shall take effect immediately.
Approved June 11, 1947.

CHAPTER 280

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*:

1. Any person now employed by any State office, bureau or department in a permanent capacity in the classified service under the classification of laborer or in any other office or position, who was not permitted or required to join the retirement system at the time when the act of which this act is a supplement became effective, or, if he was employed or appointed subsequent to that date, was not by reason of his age or the nature, class, or division, of his employment permitted, or if permitted, not required, to join the retirement system at the time when he was so appointed or employed, and who since joined the retirement system, or who shall hereafter join the system, such person shall, upon proper written application to the board of trustees, subject to the approval of the board of trustees under such rules and regulations as the board of trustees may adopt, be given the same pension service credit and prior service credit as he would have, if he had joined the system at the time when the act of which this act is a supplement became effective, or if employed after that date, at the time when so appointed or employed; *provided*, that such member shall also be permitted under such rules and regulations as the board of trustees may adopt to purchase such additional annuity credits as he may desire, not exceeding, however, such annuity credits to which such member would have been entitled if he had joined or had been permitted to join at the time when the act to which this act is a supplement became effective.

C. 43:14-2.11.
To be given
prior service
credit.

Proviso.

tive or if employed after that date, at the time when so employed.

2. This act shall take effect immediately.

Approved June 11, 1947.

CHAPTER 281

AN ACT directing the Delaware River Joint Commission, an agency of the Commonwealth of Pennsylvania and the State of New Jersey created by compact adopted by those States, in one thousand nine hundred and thirty-one and approved by Congress in one thousand nine hundred and thirty-two, to formulate a specific action program for the promotion of the navigable section of the Delaware river and bay extending from Trenton, New Jersey, and Morrisville, Pennsylvania, to the Atlantic ocean as a highway of commerce, and to make a study for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware river extending from Trenton, New Jersey, and Morrisville, Pennsylvania, to the Delaware bay.

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

To formulate
program.

1. The Delaware River Joint Commission is hereby directed to formulate a specific action program for the following purposes:

(a) The promotion of the navigable section of the Delaware river and bay extending from Trenton, New Jersey, and Morrisville, Pennsylvania, to the Atlantic ocean as a highway of commerce;

(b) The promotion of increased commerce on the Delaware river, both freight and passenger;

(c) The making of recommendations to the proper authorities for the improvement of terminal, lighterage, wharfage, warehouse, and other facilities necessary for the promotion of commerce on the Delaware river;

(d) The making of a report on any other factors which may be of mutual benefit to the Commonwealth of Pennsylvania and the State of New Jersey insofar as concerns the promotion of the development of ports along the Delaware river and the use by commercial vessels of their facilities.

2. The Delaware River Joint Commission also is hereby directed to make an investigation for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware river extending from Trenton, New Jersey, and Morrisville, Pennsylvania, to the Delaware bay. Additional bridges.

3. The said Delaware River Joint Commission shall proceed without delay to study these two problems in their entirety in co-operation with the Interstate Commission on the Delaware river basin, also an agency of the Commonwealth of Pennsylvania and the State of New Jersey, and of the States of New York and Delaware as well, and shall make a report to the Legislature not later than the first day of February, one thousand nine hundred and forty-nine. To make report.

4. For the purpose of carrying out the provisions of this act the sum of sixty-five thousand dollars (\$65,000.00) is hereby appropriated, the same to be available when the Commonwealth of Pennsylvania has made a like appropriation to said Delaware River Joint Commission. Appropriation.

5. This act shall take effect immediately.

Approved June 13, 1947.

CHAPTER 282

AN ACT authorizing and directing the Delaware River Joint Commission to undertake immediately an aggressive campaign to promote increased commerce on the Delaware river, both freight and passenger, as authorized by the compact with the Commonwealth of Pennsylvania under which said commission operates.

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

C. 32:5A-1.
Directed to
exercise
function in
effectuating
purpose of
agreement.

1. The Delaware River Joint Commission created under the authority of the act, approved the thirtieth day of June, one thousand nine hundred and thirty-one (chapter No. 391, laws of New Jersey 1931), entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware river, and the improvement of the facilities for transportation across the said river; authorizing the New Jersey Interstate Bridge Commission on behalf of the State of New Jersey, for these purposes, to enter into an agreement with the Commonwealth of Pennsylvania creating the Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission; and making an appropriation," and a similar act of the Commonwealth of Pennsylvania is hereby directed to exercise its function in effectuating the purpose of article one, paragraph (g) of the compact authorized by the aforesaid act, which reads as follows: "(g) The promotion of increased commerce on the Delaware river, both freight and passenger, and for this purpose the publication of such literature

and adoption of such means as may be deemed appropriate.”

2. The provisions of this act shall become effective immediately upon final enactment.

C. 32:5A-2.
Act effective.

Approved June 13, 1947.

CHAPTER 283

AN ACT relating to joint action by the State of New Jersey and the Commonwealth of Pennsylvania by and through the instrumentality of the Delaware River Joint Toll Bridge Commission with respect to the acquisition, construction, rehabilitation, improvement, maintenance and operation of bridges across the Delaware river, the financing thereof, and the fixing, charging and collecting of tolls for the use of such bridges; authorizing the Governor to enter into a supplemental compact or agreement on behalf of the State of New Jersey, with the Commonwealth of Pennsylvania, amending the Agreement between the State of New Jersey and the Commonwealth of Pennsylvania creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties, to enlarge the jurisdiction and power of said commission with respect to the acquisition, construction, rehabilitation, improvement, maintenance and operation of bridges across the Delaware river, the financing thereof, and the fixing, charging and collecting of tolls for the use of such bridges; authorizing the Governor to apply for congressional consent; and repealing chapter eleven-A of Title 32 of the Revised Statutes.

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

Authorized
to make
supplemental
agreement.

1. That the Governor is hereby authorized to enter into a supplemental compact or agreement, on behalf of the State of New Jersey, with the Commonwealth of Pennsylvania, amending the Agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey Creating the Delaware River Joint Toll Bridge Commission as a Body Corporate and Politic and Defining Its Powers and Duties," which was executed on behalf of the State of New Jersey by its Governor on the eighteenth day of December, one thousand nine hundred and thirty-four, and on behalf of the Commonwealth of Pennsylvania by its Governor on the nineteenth day of December, one thousand nine hundred and thirty-four, such supplemental compact or agreement to be in substantially the following form:

Supplemental
agreement,
form and
content:

"Supplemental agreement between the Commonwealth of Pennsylvania and the State of New Jersey amending the Agreement entitled 'Agreement between the Commonwealth of Pennsylvania and the State of New Jersey Creating the Delaware River Joint Toll Bridge Commission as a Body Corporate and Politic and Defining Its Powers and Duties,' by extending the jurisdiction, powers and duties of the commission and defining such additional jurisdiction, powers and duties.

Preamble;

WHEREAS, The Delaware River Joint Toll Bridge Commission (hereinafter referred to as the 'commission') was created by a compact or agreement entitled 'Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties,' executed on behalf of the Commonwealth of Pennsylvania by its Governor on the nineteenth day of Decem-

ber, one thousand nine hundred and thirty-four, pursuant to an act of its General Assembly approved the twenty-fifth day of June, one thousand nine hundred and thirty-one (pamphlet laws, one thousand three hundred fifty-two), as last amended by an act of said General Assembly approved the eighteenth day of May, one thousand nine hundred and thirty-three (pamphlet laws, eight hundred twenty-seven), and executed on behalf of the State of New Jersey by its Governor on the eighteenth day of December, one thousand nine hundred and thirty-four, pursuant to an act of its Senate and General Assembly approved June eleventh, one thousand nine hundred and thirty-four (chapter 215, laws of 1934; R. S. (1937) 32:8-1), to which compact or agreement the consent of the Congress of the United States was given by section 9 of an act of the Congress approved August 30, 1935 (Public No. 411, 74th Congress, 49 Stat. 1051, 1058), and under the provisions of which compact or agreement the commission was authorized to administer, maintain and operate certain bridges over the Delaware river and now maintains and operates the same as joint State-owned free bridges; and

WHEREAS, Because of the great increase in traffic and loads over said bridges since their construction, many of said bridges are now inadequate or unsafe, and it will be necessary to rehabilitate or replace some or all of said bridges with new bridges at the same or different locations in order to provide safe, adequate and convenient facilities for traffic crossing the Delaware river; and

Preamble;

WHEREAS, It is necessary that the commission have power to issue and sell its bridge revenue bonds for rehabilitating or replacing existing bridges with new bridges at the same or different locations, for acquiring or constructing additional

Preamble;

bridges, and for refunding any bridge revenue bonds of the commission, and that the commission also have power to fix, charge and collect tolls, rates, rents and other charges for the use of any such new bridge or bridges; now, therefore,

The Commonwealth of Pennsylvania and the State of New Jersey do hereby solemnly covenant and agree, each with the other, as follows:

Article IX
amended.

(1) Article IX of the Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties, which was executed on behalf of the Commonwealth of Pennsylvania by its Governor on the nineteenth day of December, one thousand nine hundred and thirty-four, and was executed on behalf of the State of New Jersey by its Governor on the eighteenth day of December, one thousand nine hundred and thirty-four, be and the same is hereby amended to read as follows:

ARTICLE IX

Annual
reports,
contents;

The commission shall make annual reports to the Governors and Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey, setting forth in detail its operations and transactions, and may make such additional reports, from time to time, to the Governors and Legislatures as it may deem advisable.

Article X
amended;

(2) Article X of said Agreement be and the same is hereby amended to read as follows:

ARTICLE X

Powers of
commission;

Notwithstanding any other provision of this Agreement, the commission shall have the following powers:

Bridges;

(a) The commission may acquire, construct, rehabilitate, improve, maintain, repair and operate

bridges for vehicular or pedestrian traffic across the Delaware river between the Commonwealth of Pennsylvania and the State of New Jersey at any locations north of the boundary line between Mercer county and Burlington county in the State of New Jersey as extended across the Delaware river to the Pennsylvania shore of said river.

(b) The commission may replace any one or more existing bridges across the Delaware river between the Commonwealth of Pennsylvania and the State of New Jersey north of said line with one or more new bridges at such locations as the commission may determine to be adequate and convenient for the traffic to be served thereby.

Construct
new bridges;

(c) The commission may acquire by purchase or by the exercise of the power of eminent domain any existing ferry or bridge the acquisition of which the commission may determine to be necessary or advisable in connection with the construction of a new bridge, the cost of such acquisition to be deemed to be a part of the cost of such construction.

Acquire
existing
facilities;

(d) The commission may enter upon, use, occupy, enlarge, construct and improve any street, road or highway located within the limits of any municipality and deemed by the commission to be necessary in connection with the acquisition, construction, improvement, maintenance or operation of any bridge owned or operated by the commission or of any bridge approaches, bridge plazas or approach highways to any such bridge, subject, however, to the consent of the governing body of such municipality and to such reasonable police regulations as may be established by such governing body.

Improve,
occupy and
enlarge
approaches;

(e) The commission may demolish and remove any bridge now operated by it when such bridge has been or is being replaced by a new bridge at the same or a different location which in the determination of the commission will serve substantially the same traffic as that served by such existing bridge, and the commission may sell or otherwise

Demolish
bridges;

dispose of any ferry or other property of the commission deemed by it to be no longer useful or needed for the purposes of the commission.

Acquire real
property;

(f) The commission may acquire for the purposes of this article any real property which it shall find necessary or convenient to acquire for public use in the manner provided by Article III of this Agreement, or, in the alternative, in the Commonwealth of Pennsylvania in the same manner and with the same right of entry as the highway department of the Commonwealth may acquire lands by condemnation for highway purposes and in the State of New Jersey in the same manner and with the same right of entry as the highway department of the State may acquire lands by condemnation for highway purposes.

Rules and
regulations;

(g) The commission may make and enforce such rules and regulations with respect to the use of any bridge operated by it as it shall deem proper and reasonable, including regulations limiting the loads permitted on any such bridge and closing to traffic any such bridge deemed by the commission to be unsafe.

Issue bonds;

(h) The commission may provide, from time to time, for the issuance of its bridge revenue bonds for any one or more of the following purposes: (1) providing funds for the acquisition, construction, rehabilitation or improvement of any one or more bridges the acquisition, construction, rehabilitation or improvement of which is herein authorized; (2) providing funds for the construction or improvement of approach facilities deemed by the commission to be necessary or desirable in connection with the acquisition, construction, maintenance or operation of any bridge owned or operated by the commission, including but without limitation bridge approaches, entrance plazas, overpasses, underpasses and approach highways; and (3) refunding any bridge revenue bonds or bridge revenue refunding bonds of the commission. The bridge or bridges (including any approach facilities) on account of which a single issue of

bonds shall be issued as herein authorized shall constitute a single project for financing purposes.

(i) The commission may fix, charge and collect Collect tolls; tolls, rates, rents and other charges for the use of any bridge or bridges constituting a single project, such tolls to be fixed and adjusted, subject to any applicable Federal law, as to provide funds at least sufficient (1) to pay the cost of maintaining, repairing and operating such bridge or bridges, including the administrative expenses of the commission chargeable thereto, (2) to pay the bridge revenue bonds or the bridge revenue refunding bonds issued on account of such project and the interest on such bonds, and (3) to provide reserves Proviso. for such purposes; *provided, however*, that no tolls shall be charged or collected for the use of any bridge now operated by the commission as a free bridge but only for the use of bridges constructed or acquired by the commission under the provisions of this compact or agreement. Subject to any applicable Federal law, the commission may pledge such tolls, rates, rents and other revenues or any part thereof for such purposes. The commission may establish separate schedules of tolls, rates and charges for use of any bridge on which tolls may be established hereunder by residents of areas adjacent to or served directly by such bridge under such conditions and on such terms as it shall determine to be proper and reasonable, including tolls, rates and charges for unlimited use of any such bridge.

No member of the commission shall be subject to No personal liability. any personal liability or accountability by reason of any act or omission of the commission."

2. Upon its signature on behalf of the State of Compact binding upon completion. New Jersey and the Commonwealth of Pennsylvania, the supplemental compact or agreement hereinabove set forth shall become binding and shall have the force and effect of a statute of the State of New Jersey, and the commission shall thereupon become vested with all the powers, rights, and privileges, and be subject to the duties

and obligations contained therein, as though the same were specifically authorized and imposed by statute, and the State of New Jersey shall be bound by all of the obligations assumed by it under such supplemental compact or agreement; and the Governor shall transmit an original signed copy thereof to the Secretary of State for filing in his office.

Federal consent.

The Governor is hereby authorized to apply, on behalf of the State of New Jersey, to the Congress of the United States for its consent and approval to such supplemental compact or agreement.

Construction.

3. Nothing contained in this act nor in the supplemental compact or agreement authorized by this act shall be deemed to supersede, abrogate or repeal in any way any powers heretofore granted to the commission. This act and said supplemental compact or agreement shall be regarded as conferring supplemental and additional powers to the commission, and shall not be regarded as being in derogation of any powers now existing.

Repealer.

4. Chapter eleven-A of Title 32 of the Revised Statutes is repealed.

Act effective.

5. This act shall become effective immediately upon its signing by the Governor and the passage by the Commonwealth of Pennsylvania of a substantially similar act, embodying the supplemental compact or agreement between the two States hereinabove set forth.

Approved June 13, 1947.

CHAPTER 284

AN Act to validate proceedings where service of process therein has been acknowledged by an officer or director of a defendant corporation.

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

1. No sale of any lands, tenements, hereditaments or real estate heretofore made by virtue of any decree, order or judgment of any court of this State, or any execution or other process issued thereon, shall be invalidated by reason of the fact that service of process therein was acknowledged by an officer or director of any corporation which was a party to said proceedings; and the purchaser or purchasers of said lands, tenements or hereditaments or real estate having received his, her or its deed therefor, his, her, its or their heirs, successors and assigns shall be deemed to have as good and complete title thereto as if said corporation party to the proceedings, under and by virtue of which such sale was made, had been made a party thereto by service of process upon its registered agent within the jurisdiction of the court; *provided*, that no proceeding shall have heretofore been instituted in any court of law or equity to set aside said sale or the deed or of any proceedings in connection therewith.

Proceedings
validated.

Proviso.

2. This act shall take effect immediately.

Approved June 18, 1947.

CHAPTER 285

AN ACT providing for the retirement on pension of certain township clerks.

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

C. 43:12-57.5.
Township
clerks,
pension.

1. The governing body of any township may retire on pension any person who has served continuously as clerk of the township for forty years, and has attained the age of seventy-five years, in such amount, not exceeding one thousand dollars (\$1,000.00) per annum, as shall be determined by said governing body, and provide for the payment of such pension.

2. This act shall take effect immediately.

Approved June 18, 1947.

CHAPTER 286

AN ACT concerning employees of the State whose compensation is paid by a county or municipality in which chapter fifteen of Title 43 of the Revised Statutes has been or shall be adopted.

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

C. 43:15-2.4.
To have same
rights and
benefits.

1. All employees of the State whose compensation is paid by any county or municipality in which chapter fifteen of Title 43 of the Revised Statutes has been or shall be adopted shall be entitled to receive the same benefits as employees of such county or municipality are entitled to receive and the county or municipality paying such compensation shall have the same obligations with respect

to such employees of the State as it has to its own employees under said chapter fifteen of Title 43 of the Revised Statutes.

2. This act shall take effect immediately.

Approved June 18, 1947.

CHAPTER 287

AN Act authorizing the Agricultural Experiment Station of the State University of New Jersey to investigate the nature of, causes of, and control of Newcastle Disease, and other communicable poultry diseases, now creating serious economic losses to the poultry industry of the State, and to report thereon and appropriating funds for the erection of the necessary poultry disease isolation laboratory and the equipment and maintenance of same.

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

1. The Agricultural Experiment Station of the State University of New Jersey, through its Department of Poultry Husbandry, is authorized and directed to make studies of Newcastle Disease of poultry, and other communicable diseases of domestic fowls, with respect to the nature of such diseases, their causes, symptoms, and control measures, in effort to assist those engaged in poultry farming in this State in the treatment and control of such diseases, and to report results, as accrued, through the usual channels of publication employed by that institution.

C. 4:16-21.3.
Directed to
make study
of poultry
diseases.

2. There is hereby appropriated, when included in any annual appropriation act, to the Agricultural Experiment Station of the State University

Appropriation.

of New Jersey the sum of fifteen thousand dollars (\$15,000.00) for the erection of a poultry disease isolation hospital on the grounds of the said Agricultural Experiment Station.

Approved June 18, 1947.

CHAPTER 288

AN ACT concerning mortgages, and supplementing chapter nine of Title 46 of the Revised Statutes.

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

C. 46:9-7.1.
Purchaser
deemed not to
have assumed
debt.

1. Whenever real estate situate in this State shall be sold and conveyed subject to an existing mortgage or is at the time of any such sale or conveyance subject to an existing mortgage, the purchaser shall not be deemed to have assumed the debt secured by such existing mortgage and the payment thereof by reason of the amount of any such mortgage being deducted from the purchase price or by being taken into consideration in adjusting the purchase price, nor for any other reason, unless the purchaser shall have assumed such mortgage debt and the payment thereof by an express agreement in writing signed by the purchaser or by the purchaser's acceptance of a deed containing a covenant to the effect that the grantee assumes such mortgage debt and the payment thereof.

2. This act shall take effect immediately.

Approved June 18, 1947.

CHAPTER 289

AN Act concerning the State Employees' Retirement System of New Jersey, and amending section 43:14-27 of the Revised Statutes.

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

1. Section 43:14-27 of the Revised Statutes is amended to read as follows: Section amended.

43:14-27. In computing for retirement purposes the total service of a member about to be retired, the board of trustees shall credit him with the time of all service rendered by him to the State since he last became a member, and in addition if a prior service certificate heretofore issued to him is in full force and effect, with all the service certified on the certificate, and with no other service. A prior service certificate or modified prior service certificate, shall be final and conclusive for retirement purposes as to service certified therein, unless in any four-year period which elapses subsequent to its issuance the member to whom it was issued fails to render to the State two additional years of service, in which case it shall be void. Credited with all service rendered.

For the purpose of computing service for retirement purposes, the board shall fix and determine by appropriate rules and regulations how much service in any year shall equal a year of service and part of a year of service. Not more than one year shall be credited for all service in a calendar year. In computing the service or in computing final compensation, no time during which a member was absent on leave without pay shall be credited, unless such leave of absence was for three months or less, or unless the service was allowed for retirement purposes, at the time the leave of absence was granted, both by the head of the department, or other branch of the State service not included Computing service.

in a department in which the member was employed, and the board of trustees. Any such member shall be permitted to contribute, either in a lump sum or by installment payments, an amount calculated, in accordance with the rules and regulations of the board of trustees, to be sufficient to restore or preserve his annuity credit for the period of such official leave of absence without pay.

2. This act shall take effect immediately.

Approved June 18, 1947.

CHAPTER 290

AN ACT relating to the Division of Tax Appeals in the State Department of Taxation and Finance, and amending section 54:2-7 of the Revised Statutes.

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

Section
amended.

1. Section 54:2-7 of the Revised Statutes is amended to read as follows:

Governor to
designate
president.

54:2-7. One of the members shall be designated by the Governor as president of the board, and shall so act during his term of office.

2. This act shall take effect immediately.

Approved June 18, 1947.

CHAPTER 291

AN ACT to provide for the distribution of the Revised Statutes and the purchase and distribution of the Revised Statutes Cumulative Supplements.

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

1. The Secretary of State hereby is directed to distribute to the Secretary of the Senate, and to the Clerk of the House of Assembly, one complete set of the Revised Statutes (including volumes four and five), and to each member of the Senate and House of Assembly of the one hundred seventy-first session of the New Jersey Legislature such of the following as such member has not already received by distribution by the State; that is to say:

Distribution
of Revised
Statutes and
supplements.

One complete set of the Revised Statutes (including volumes four and five).

One volume, Revised Statutes Cumulative Supplement, 1938 to 1940.

One volume, Revised Statutes Cumulative Supplement, 1941 to 1944, and

One volume, Revised Statutes Cumulative Supplement, 1945 to 1946.

2. The Secretary of State hereby is authorized to purchase such number of volumes of the said Revised Statutes Cumulative Supplements as shall be requisite to carry out the purposes of this act; *provided, however*, that such purchase shall be made with moneys heretofore or hereafter appropriated to, or for the use of, the Secretary of State.

Proviso.

3. This act shall take effect immediately.

Approved June 18, 1947.

CHAPTER 292

AN ACT concerning police and fire departments in municipalities, and amending sections 40:47-6 and 40:47-8 of the Revised Statutes.

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

Section
amended.

1. Section 40:47-6 of the Revised Statutes is amended to read as follows:

Removal
from office.

40:47-6. No person shall be removed from office or employment in any such police department or in any such paid fire department of any such municipality nor shall any member of any municipal part paid fire department who is permanently employed by the municipality at a fixed annual salary and whose sole occupation is that of fireman in said municipal part paid fire department be removed therefrom, for political reasons, or for any other cause than incapacity, misconduct, nonresidence, or disobedience of rules and regulations established for the government of the police force and department or the paid or part paid fire department in such municipality.

Procedure for
removal, etc.

No person, whether officer or employee in any such police department or officer or member in any such paid fire department or member in any such part paid fire department who is permanently employed by the municipality at a fixed annual salary and whose sole occupation is that of fireman in said municipal part paid fire department, shall be suspended, removed, fined or reduced from office or employment therein, except for just cause, as hereinbefore provided, and then only after written charge or charges of the cause or causes of complaint shall have been preferred against such officer or employee of said police department or officer or member of said paid fire department or member of said part paid fire department, signed by the

person or persons making such charge or charges and filed in the office of the body, officer or officers having charge of the department in which the complaint arises and a copy thereof served upon such person within fifteen days after the filing thereof and after the charge or charges shall have been publicly examined by the appropriate board or authority upon reasonable notice to the person charged, which examination shall be commenced not less than fifteen days nor more than thirty days after said copy of such charge or charges shall have been so served.

It is the intent of this section to give every person against whom a charge or charges for any cause may be preferred under this article a fair trial upon said charge or charges and every reasonable opportunity to make his defense if any he has or chooses to make and that in event of failure of compliance with any provision of this section, such charge or charges shall be dismissed. Construction.

2. Section 40:47-8 of the Revised Statutes is amended to read as follows: Section amended.

40:47-8. If any officer, member or employee in any such department shall be suspended pending trial on charges, such trial shall be commenced within thirty days after service of a copy thereof upon him, otherwise the charges shall be dismissed and the officer or employee returned to duty. Trial within 30 days, or charges dismissed.

3. This act shall take effect immediately.

Approved June 18, 1947.

New Jersey State Library

CHAPTER 293

AN ACT concerning the powers and duties of fire police, and amending section 15:8-4 of the Revised Statutes.

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

Section
amended.

1. Section 15:8-4 of the Revised Statutes is amended to read as follows:

May appoint
members for
police duties.

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.

Oath.

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.

Power and
authority.

After appointment a member shall be eligible as a fire police and shall have full power and authority to act as such anywhere in the county in which he is appointed or in any other county in which he is called upon to act.

It shall be the duty of a member of the fire police to perform his duties under the supervision of the fire officer in charge of the fire or fire drill.

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

- (1) Protect property and contents.
- (2) Establish and maintain fire lines.
- (3) Perform such traffic duties as necessary until the arrival of a duly authorized police officer.

(4) In the absence of investigating authorities, fire police shall investigate all causes of fires and preserve all evidence pertaining to questionable fire and turn evidence over to proper investigating authorities.

(5) Wear the authorized fire police badge on the left breast of the outermost garment while on duty.

Provided, however, nothing herein contained Proviso. shall give the fire police or any of them the right to supersede a duly authorized police officer.

If any person shall unreasonably refuse to obey Penalty. the orders of the fire police such fire police may arrest him and keep him under arrest until the fire is extinguished or the drill completed. If the offender is found guilty 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 June 18, 1947.

CHAPTER 294

AN ACT authorizing the installation in the House of Assembly of a mechanical roll-call system and individual microphonic equipment for the use of the officers and members of the House.

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

1. The State House Commission is hereby authorized and empowered to install in the House of Assembly a mechanical roll-call system and individual microphonic equipment for the use of the officers and members of the House, in accordance with the recommendations of the House Committee appointed under Assembly Resolution of April twelfth, one thousand nine hundred and forty-six.

To install mechanical roll-call system.

Appropriation.

2. For the purpose of carrying into effect this resolution, there is appropriated the sum of fifteen thousand dollars (\$15,000.00).

3. This act shall take effect immediately.

Approved June 18, 1947.

CHAPTER 295

AN ACT concerning certain cities of the second class, and supplementing chapter sixty-two of Title 40 of the Revised Statutes.

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

C. 40:62-85.1.
Rates subject
to jurisdiction
of utility
commissioners.

1. Whenever any city of the second class having a population of not less than one hundred twenty thousand inhabitants and solely owning or controlling water works or its own water supply, is supplying or shall supply water to the inhabitants of, or to other consumers of water within, any other municipality the rates now or to be charged therefor shall be subject to the jurisdiction, regulation and control of the Board of Public Utility Commissioners in the same manner and to the same extent as are the rates of public utilities and to that extent and for that purpose such supplying city shall be deemed to be a public utility.

2. This act shall take effect immediately.

Approved June 18, 1947.

CHAPTER 296

AN ACT concerning municipalities, and supplementing chapter fifty-two 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 shall not issue or authorize the issuance of a license under the authority of subparagraph f of section 40:52-1 of the Revised Statutes without the submission of satisfactory proof of the applicant's compliance with the provisions of section 34:15-71 of the Revised Statutes, and any such license heretofore or hereafter issued shall be revoked after hearing by the governing body upon proof of the licensee's failure to comply with the provisions of said section 34:15-71 of the Revised Statutes after notice and failure to comply.

C. 40:52-1.1.
Not to issue
license.

Approved June 18, 1947.

CHAPTER 297

AN ACT to prohibit in certain respects the making of holes in the ice on the Navesink and Shrewsbury rivers in the county of Monmouth.

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

1. Whenever it shall be lawful for any person to fish through an opening in the ice on the Navesink and Shrewsbury rivers in the county of Monmouth, no person fishing or intending to fish through an opening in such ice on said rivers shall

C. 23:9-112.1.
Regulates
making of
holes in ice.

make any hole larger than ten inches in diameter or within fifteen feet of any other hole in the ice.

C. 23:9-112.2.
Violation a
misdemeanor.

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

3. This act shall take effect immediately.

Approved June 18, 1947.

CHAPTER 298

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 sale
of lands.

1. All sales heretofore made at public auction of any lands and premises by any municipality, notwithstanding that the advertisement of sale of said lands was not made as provided by law, are hereby validated and confirmed, and any conveyances by such municipality of said lands to the purchaser or purchasers thereof, upon payment of the purchase moneys therefor, shall be construed in all courts of this State to convey or have conveyed all the right, title, and interest of any such municipality, of, in, and to said lands and premises; *provided, however*, that such sales shall have been or shall be authorized or confirmed by resolution of the governing body of such municipality; *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 18, 1947.

CHAPTER 299

AN ACT concerning corporations, and amending
section 14:7-2 of the Revised Statutes.

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

1. Section 14:7-2 of the Revised Statutes is Section amended.
amended to read as follows:

14:7-2. Each director shall be a bona fide shareholder in the corporation at the time of his election, or a bona fide shareholder in a corporation holding twenty-five per centum (25%) or more of its capital stock. Qualifications of directors.

Any corporation may determine by its certificate of incorporation or by-laws how many shares a person shall hold to qualify him as a director.

Any director ceasing to be a bona fide stockholder shall cease to be a director.

The provisions of this section shall not apply to a corporation all of the stock of which is owned by savings and loan associations and directors of such a corporation need not be or become holders of shares of the capital stock of such corporation.

2. This act shall take effect immediately.

Approved June 18, 1947.

CHAPTER 300

AN ACT to amend "An act concerning savings and loan associations and building and loan associations, and revising chapter twelve of Title 17 of the Revised Statutes," approved April fourth, one thousand nine hundred and forty-six (P. L. 1946, c. 56).

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

Section
amended.

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

C. 17:12A-79.
Investments:

79. Other investments. Securities. An association may invest as follows:

U. S.
obligations;

(1) Obligations of the United States. In obligations of or guaranteed as to principal and interest by, the United States of America.

Federal home
loan bank
stock;

(2) Federal Home Loan Bank Stock. In stock of the Federal Home Loan Bank, of which it is eligible to be a member; and in other obligations of any Federal Home Loan Bank or Banks or of the Federal Home Loan Bank System.

Mortgage
loans;

(3) Participation in mortgage loans. In the investment in participating interests in mortgage loans. The mortgage which secures payment of any such participating interest shall be a lien upon real estate in this State used or to be used wholly or partially for dwelling purposes and shall conform with the limitations, conditions and requirements set forth in this article regulating direct reduction mortgage and straight mortgage loans, with respect to priority of lien, the percentage of such loan to the appraised value of the mortgaged property, and the terms of repayment of such loan. Such participating interest shall entitle the association to share all money and other benefits derived from such mortgage loan, or incidental thereto, pro rata with, or with preference and

priority over, the holder of any other participating interest therein. The total amount invested in such participating interests by any association shall not exceed ten per centum (10%) of its assets at the time any such investment is made.

(4) Accounts of other associations. In accounts of any insured association of this State and of any Federal association whose principal office is located in this State; *provided*, that no such investment shall be made in excess of the amount for which such account is insured by the Federal Savings and Loan Insurance Corporation.

Accounts
of other
associations;

Proviso;

(5) Savings banks' investments. In any investment in which savings banks of New Jersey are or shall be authorized to invest by any law of this State, other than investments which are, or which hereafter shall be, specifically designated and regulated by this act; *provided, however*, no funds may be invested pursuant to this subsection which are required for authorized loans to members.

Savings banks'
investments;

Proviso;

(6) Loans on securities. In loans upon obligations secured by the pledge of any security designated in subsections (1) and (5) of this section; *provided*, that such loans shall not exceed eighty per centum (80%) of the market value of the security pledged as collateral; *and provided further*, that no funds may be invested pursuant to this subsection which are required for other authorized loans to members.

Loans on
securities;

Proviso;

Proviso;

(7) Central corporation. In the capital stock, securities, debentures or other obligations of a single corporation organized under the laws of the State of New Jersey, the entire capital stock of which corporation shall be open to, subscribed for, and issued to associations of this State and such Federal associations that have their principal offices in this State; *provided, however*, that the original capital stock of such corporation shall aggregate at least two hundred thousand dollars (\$200,000.00) from subscriptions and payments by at least ten of the aforementioned associations; *and provided further*, that no association, afore-

Central
corporation;

Proviso;

Proviso.

mentioned, may invest its funds under this subsection in an amount exceeding five per centum (5%) of its assets at the time of such subscription, payment or investment, except with the approval of the commissioner.

2. This act shall take effect immediately.

Approved June 18, 1947.

CHAPTER 301

AN ACT concerning members of the State Employees' Retirement System whose services were or have been made available by this State to the Federal Government during the war emergency, and supplementing chapter fourteen of Title 43 of the Revised Statutes (R. S. 43:14-1 et seq.).

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

C. 43:14-2.12.
Authorized to
make payment
to retirement
fund.

1. Any State employee who was or is a member of the State Employees' Retirement System and whose services were or have been made available by this State to the Federal Government may, if and when he or she has returned or shall return to service with this State, or if he or she has retired or been retired under the said system, contribute to the annuity savings fund of said system, such sum or sums, either in one payment or in installments, as determined by the board of trustees to be sufficient to cover the amount which would have been contributed by such individual had he or she remained a member of such fund, together with such interest thereon as shall be determined to be just by such board; any board, body or commission of this State which has, had, or shall have, moneys contributed by the Federal Government for that purpose shall pay into such system such amount

or amounts as would have been contributed by it on account of said services had not such services been made available to the Federal Government, together with such interest as shall be determined to be just by such board. The said board is hereby authorized and required to receive said contributions, both for annuity and pension purposes, it being the intention hereby to restore, if and where possible, all retirement rights of such members lapsed or lost while rendering services to the Federal Government in and during the emergency of World War II.

2. This act shall take effect immediately.

Approved June 18, 1947.

CHAPTER 302

AN ACT concerning certain counties; prescribing the limits of the compensation of members and certain directors of the boards of freeholders thereof; prescribing the method of fixing such compensation; amending sections 40:20-72, 40:20-73 and 40:20-74, and supplementing chapter twenty of Title 40 of the Revised Statutes.

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

1. Section 40:20-72 of the Revised Statutes is amended to read as follows: Section amended.

40:20-72. The salaries of the members of the boards of chosen freeholders in counties governed by small boards under the provisions of sections 40:20-2 to 40:20-35 of this Title shall be as follows: Freeholders' salaries.

a. In counties bordering on the Atlantic ocean now or hereafter having a population of not more than one hundred thousand, each member shall

receive an annual salary of not less than twenty-five hundred dollars (\$2,500.00) nor more than five thousand dollars (\$5,000.00);

b. In counties not bordering on the Atlantic ocean now or hereafter having a population of less than forty-seven thousand, each member shall receive an annual salary of not less than thirty-five hundred dollars (\$3,500.00) nor more than five thousand dollars (\$5,000.00); and the director shall receive, in addition to his salary as a member, a sum not exceeding five hundred dollars (\$500.00) per annum;

c. In counties now or hereafter having a population of more than forty-seven thousand but not more than five hundred thousand (except counties referred to in subsection "a" hereof), each member shall receive an annual salary of not less than four thousand dollars (\$4,000.00) nor more than six thousand dollars (\$6,000.00); and the director shall receive, in addition to his salary as a member, a sum not in excess of five hundred dollars (\$500.00) per annum;

d. In counties now or hereafter having a population of more than five hundred thousand, each member shall receive an annual salary of not less than six thousand dollars (\$6,000.00), nor more than eight thousand dollars (\$8,000.00); and

Additional
salary for
director.

e. In counties where such board consists of nine members, the director shall receive, in addition to his salary as a member, a sum not in excess of five hundred dollars (\$500.00) per annum.

Salaries of members of boards of chosen freeholders for which a minimum and maximum amount is prescribed herein, and additional compensation of directors of boards of chosen freeholders for which a maximum amount is prescribed herein, may, within the limits prescribed herein, be fixed by the respective boards by resolution.

Salary in
lieu of fees.

The salaries of members of boards of chosen freeholders referred to in this section, including any additional compensation to directors thereof, shall be in lieu of all fees or other compensation

and shall be paid in equal monthly installments by the county treasurer.

2. Section 40:20-73 of the Revised Statutes is amended to read as follows: Section amended.

40:20-73. In counties where the members of the board of chosen freeholders are not paid an annual salary, each member shall receive not less than ten dollars (\$10.00) nor more than fifteen dollars (\$15.00), and the director the total sum of not less than fifteen dollars (\$15.00) nor more than twenty dollars (\$20.00), for each day he is actually and necessarily employed in discharging his duties, and the further sum of not more than ten cents (\$0.10) per mile for each mile he shall necessarily travel in going to and returning from the sessions of the board by the nearest route, upon filing with the county treasurer an itemized bill therefor, verified by affidavit, and the same being ordered paid by the board of chosen freeholders. The per diem salaries to be paid to the members and director may, within the limits prescribed in this section, be fixed by the respective boards referred to herein by resolution. Per diem compensation.

No other allowance or emolument shall be received by any such officer, directly or indirectly. No other allowances.

3. Section 40:20-74 of the Revised Statutes is amended to read as follows: Section amended.

40:20-74. In counties where the members of the board of chosen freeholders are not compensated upon a per diem basis, and in counties not governed by small boards of chosen freeholders under any of the provisions of sections 40:20-2 to 40:20-35 of this Title, the members of the board shall each receive a salary of not less than seven hundred and fifty dollars (\$750.00) nor more than one thousand dollars (\$1,000.00) per annum and the director shall receive a salary of not less than one thousand dollars (\$1,000.00) nor more than one thousand five hundred dollars (\$1,500.00) per annum, to be paid by the county treasurer out of the county treasury in equal quarterly payments. The salaries to be paid to the members and director may, within Salaries when not paid on per diem basis.

the limits prescribed in this section, be fixed by the respective boards by resolution.

No other allowances.

No other compensation shall be allowed or paid to any such member or director.

C. 40:20-74.1.
Publication
of salary
resolution.

4. In any case where permitted pursuant to the provisions of sections 40:20-72, 40:20-73 or 40:20-74 of the Revised Statutes, any resolution fixing the salary or other compensation of the members of a board of chosen freeholders or the director thereof, shall, after being introduced and having first reading, be published at least once in two newspapers circulating in the county, one of which shall be a newspaper published at the county seat, if there be such newspaper, together with a notice of the introduction thereof and the time and place when and where it will be further considered for final passage. If there be only one such publication, the same shall be at least one week prior to the time fixed for further consideration for final passage. If there be more than one such publication, the first shall be at least one week prior to the time fixed for further consideration for final passage.

C. 40:20-74.2.
Hearing and
final passage.

5. At the time and place so stated in such publication, or at any other time and place to which the meeting for the further consideration of the resolution shall from time to time be adjourned, all persons interested shall be given an opportunity to be heard concerning the resolution. Final passage thereof shall be at least ten days after the first reading.

C. 40:20-74.3.
Second
reading.

6. At or after the hearing, the board of chosen freeholders may proceed to give the resolution a second reading or amend it, and thereupon pass or reject it with or without amendment.

C. 40:20-74.4.
Publication
after passage.

7. Upon passage, every such resolution, together with a notice of the date of passage or approval, or both, shall be published at least once in a newspaper published in the county, or, if there be no newspaper published in such county, then in a newspaper of general circulation, circulated in such county.

8. No such resolution shall be passed or approved unless a majority of all the members of the board of chosen freeholders vote in favor of such passage or approval. C. 40:20-74.5.
Majority
approval.

9. Nothing in this act shall be construed to affect or change the amount of salary or other compensation paid, pursuant to the provisions of law in effect on the first day of April, one thousand nine hundred and forty-seven, to any member of any board of chosen freeholders, or any director thereof, unless such salary or other compensation be fixed, where permitted pursuant to the provisions of sections 40:20-72, 40:20-73 or 40:20-74 of the Revised Statutes as amended herein, by resolution in the manner herein prescribed. C. 40:20-74.6.
Construing.

10. This act shall take effect immediately.

Approved June 18, 1947.

CHAPTER 303

AN ACT concerning game, wild birds and animals,
and amending sections 23:7-3 of the Revised
Statutes.

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

1. Section 23:7-3 of the Revised Statutes is Section
amended. amended to read as follows:

23:7-3. A person who while on the property of others for the purpose of hunting or fishing willfully and deliberately causes injury to or destroys cultivated crops, orchards, fences, building or live stock thereon, may be arrested without warrant by the owner, occupant, lessee, licensee or any officer of the law, and shall be punished by a fine not exceeding five hundred dollars (\$500.00) or imprisonment for six months. Any person violating the Injury to
property,
penalty.

provisions of this section shall forfeit his license for a period of two years from the date of his said conviction, and upon conviction for a second violation shall permanently forfeit his said license.

2. This act shall take effect immediately.

Approved June 18, 1947.

CHAPTER 304

AN Act to amend "An act to regulate the occupation of barbering, to provide for licensing of persons to carry on such occupation and to create the State Board of Barber Examiners to provide rules regulating the proper conduct and sanitation of the occupation of barbering for the protection of the public health and to provide penalties for violation thereof," approved May seventeenth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 197).

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

Section
amended.

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

C. 45:4-48.
Organization.

22. Said Board of Barber Examiners shall organize and elect a chairman and a secretary-treasurer from its own members. It shall adopt and use a common seal for the authentication of its audit and records. The secretary-treasurer shall keep a record of all proceedings of the board and shall remit all funds received to the Treasurer of the State of New Jersey.

Bond,
secretary-
treasurer.

The secretary-treasurer shall be bonded in the sum of three thousand dollars (\$3,000.00) with sureties approved by the Secretary of State, conditioned for the faithful performance of his duties,

and shall take the oath provided by law for such public office.

The secretary-treasurer of the board shall receive a compensation of three thousand five hundred dollars (\$3,500.00) per annum and devote his full time to the supervision of office and field workers.

Salary,
secretary-
treasurer.

A majority of the board in meeting duly assembled may perform and exercise all the duties and powers developed upon the board.

Action by
majority.

The other members of the board shall receive a compensation of three thousand three hundred dollars (\$3,300.00) per annum and in addition thereto, all members of the board, including the secretary-treasurer, shall be reimbursed and receive their necessary traveling expenses, which shall include only the cost of transportation to and from the place of performance of their duties, incurred in the proper discharge of their duties.

Salary, other
members.

All expenses, salaries, et cetera, shall be paid only from the receipts received for barber fees, and at no time shall the expenses exceed the receipts received from the barber fees.

Payment
of expenses.

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

Section
amended.

23. All moneys received pursuant to the provisions of this act shall be paid into the treasury of this State. Of said revenues, a sum is hereby appropriated sufficient to pay the expenses incurred by the State Board of Barber Examiners in the administration of this act and shall be paid from the moneys so received as aforesaid. All such expenditures shall be made by the treasurer on warrant of the comptroller after approval by the secretary-treasurer of the State Board of Barber Examiners; *provided, however*, that any such expense of administration shall at no time exceed the moneys so received to the end that the commission created by the provisions of the act shall, at all times, be self-sustaining; *and provided further*, that any surplus remaining in such fund in the hands of the treasurer at the close of any fiscal

C. 45:4-49.
Disposition
of moneys
collected.

Proviso.

Proviso.

year shall revert to and become a part of the general fund of the State. The board shall report annually to the Governor of its receipts and expenditures and also, a full statement of its work during the year together with such recommendations as it may deem expedient.

3. This act shall take effect immediately.

Approved June 18, 1947.

CHAPTER 305

AN ACT concerning municipalities, and amending section 40:60-39 of the Revised Statutes.

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

Section
amended.

1. Section 40:60-39 of the Revised Statutes is amended to read as follows:

May transfer
land to board
of education.

40:60-39. When the governing body of a municipality shall determine that all or any part of a tract of land with or without buildings erected thereon, owned by the municipality, is no longer desirable, necessary or required for other public purposes, it may transfer and convey such land or any portion thereof, with or without improvements thereon, to the board of education in the municipality for a nominal consideration to be used for public purposes connected with the board of education. A prior dedication or use for park purposes of such land or any part thereof shall not be deemed to preclude a transfer and conveyance thereof under the provisions of this section.

Prior dedica-
tion not to
preclude
transfer.

2. This act shall take effect immediately.

Approved June 18, 1947.

CHAPTER 306

AN ACT authorizing fiduciaries to pay premiums, brokers' commissions, title charges, attorneys' fees, recording fees, the cost of survey and United States internal revenue stamps, and other charges incidental to and incurred with a purchase of or investment in real estate mortgages, and allocating such payments.

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

1. Any fiduciary authorized to loan or invest money entrusted to him in bonds or other obligations secured by first mortgages on improved real estate may purchase or invest in such bonds or other obligations so secured and may pay a premium therefor, brokers' commissions for the procurement thereof, title charges, attorneys' fees, recording fees, the cost of survey, the cost of United States internal revenue stamps, and other charges incidental to and incurred in connection with such purchase or investment. C. 3:16-10.5.
Authorized to
pay premiums,
commissions,
etc.
2. Such premiums, commissions and other charges paid under the authority of section one hereof shall be paid out of the principal of the estate, trust or guardianship funds being administered by him and may be amortized out of income in the same manner as premiums on other securities purchased by fiduciaries are amortized out of income. C. 3:16-10.6.
Payment out
of principal.
3. The provisions of this act shall not apply where the trust indenture, deed, agreement, will or order of appointment otherwise expressly provides. C. 3:16-10.7.
Not to apply.
4. This act shall take effect immediately.

Approved June 18, 1947.

CHAPTER 307

AN ACT to establish at the State University of New Jersey maintained by the Trustees of Rutgers College in New Jersey an Institute of Management and Labor Relations, to prescribe the purpose and manner of its operation and to provide an appropriation therefor.

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

C. 18:22-48.
Purpose.

1. The purpose of this act is to promote harmony and co-operation between management and labor, and greater understanding of industrial and labor relations, thereby to enhance the unity and welfare of the people of the State.

C. 18:22-49.
Institute of management and labor relations.

2. There is hereby established at the State University of New Jersey maintained by the Trustees of Rutgers College in New Jersey an Institute of Management and Labor Relations.

C. 18:22-50.
To establish centers of instruction.

3. (a) The institute shall establish at convenient centers throughout the State programs of instruction designed to achieve the purposes set forth in paragraph one, and to bring about among management, labor and the public better understanding of their mutual problems and obligations.

Program of instruction.

(b) These programs of instruction may consist of instruction given in classes, or by means of lectures, conferences, institutes, demonstrations, forums or other informal educational services found to be particularly effective in teaching adults.

Tuition free.

(c) Tuition for all instruction in the Institute of Management and Labor Relations shall be free to residents of New Jersey, but the State University of New Jersey may establish a registration fee or other incidental fees in connection with the operation of such educational activities.

4. The institute shall establish programs of research in the field of management and labor relations in order to develop new material and techniques to aid in carrying on the educational activities required by this act, and otherwise to carry out its purposes.

C. 18:22-51.
Research
programs.

5. The State University of New Jersey shall appoint an advisory council for the Institute of Management and Labor Relations consisting of representatives of labor, management and the public, in equal numbers. The advisory council shall advise the State University of New Jersey as to the manner of carrying out the purposes of this act. Members of the advisory council shall serve without compensation, but shall be reimbursed for their actual and necessary expenses.

C. 18:22-52.
Advisory
council.

6. The State University of New Jersey is authorized to expend such sums, not exceeding fifty thousand dollars (\$50,000.00), as may be necessary to carry out the requirements of this act, from any appropriation heretofore or hereafter made to the State University of New Jersey.

Expenditures
authorized.

7. This act is to take effect immediately.

Approved June 19, 1947.

CHAPTER 308

AN ACT concerning legal investments.

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

1. The following may, in addition to other investments allowed by law, properly and legally invest any funds, including capital, belonging to them or within their control in obligations issued or guaranteed by the International Bank for Reconstruction and Development; that is to say:

C. 17:2-9.3.
Legal
investments.

(a) Insurance companies, insurance associations, and all other persons carrying on an insurance business.

(b) Executors, administrators, guardians, committees, conservators, liquidators, rehabilitators, receivers, trustees, and all other persons occupying similar fiduciary positions.

(c) Banks, trust companies, bankers and savings banks.

(d) Savings and loan, and building and loan associations, investment companies, and other financial institutions.

(e) Credit unions, cemetery associations, mutual benevolent and benefit associations.

(f) Firemen's, police, and teacher's association pension and relief funds.

(g) Other pension, retirement, compensation, and sinking fund systems.

(h) The State and its counties, and municipalities and their subdivisions and agencies.

(i) All public officers, officials, boards, commissions, bodies and agencies of the State and its counties, and municipalities and their subdivisions and agencies.

(j) Any other individual, firm, group, corporation, association, institution, and fund of any nature whatsoever.

C. 17:2-9.4.
Construction.

2. The provisions of this act shall not apply to any trust fund where the deed of trust, or will, or any court having jurisdiction of the same, specially directs that said trust fund shall be invested in other securities.

3. This act shall take effect immediately.

Approved June 19, 1947.

CHAPTER 309

AN ACT concerning the retirement upon pension of chief librarians, librarians and employees in libraries in cities of the first class, and amending section 43:12-32 of the Revised Statutes.

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

1. Section 43:12-32 of the Revised Statutes is amended to read as follows: Section amended.

43:12-32. In any city of the first class, a chief librarian, a librarian, or an employee in a library, who shall have been for twenty-five years continuously in public office, position or employment in the city and who has reached the age of sixty-two years, or has become incapacitated for the duties of his office, position or employment, may, upon his own request, be retired from service by the body, board or officer having power to appoint his successor in case of vacancy, with the concurrence of such body, board or officer. Retirement, library employees.

2. This act shall take effect immediately.

Approved June 20, 1947.

CHAPTER 310

AN ACT to amend "An act to regulate elections, and supplementing chapter thirty-one of Title 19 of the Revised Statutes," approved May sixth, one thousand nine hundred and forty (P. L. 1940, c. 54).

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. 19:31-41.1.
Information
furnished by
municipal
clerk.

1. In all municipalities where moving permits are issued the municipal clerk or such officer in charge of issuing said permits shall once each month, during the first five days thereof, file with the commissioner a list containing the following information, viz.:

(a) Name and address of all persons who have obtained moving permits during the previous month.

(b) Address of the place to where such persons are moving their goods.

2. This act shall take effect immediately.
Approved June 20, 1947.

CHAPTER 311 -

AN ACT to authorize cities and other municipalities of the State to devote to other public uses lands held for training grounds and market places.

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

1. It shall be lawful for any city of this State which holds or owns land, derived from the public, in trust for use as training grounds, market places or parks, and devoted to those uses under any such trust, to devote such land to the use of a subsurface traffic location center within contemplation of chapter one hundred forty-two of the laws of one thousand nine hundred and twenty-nine, and to uses incidental to the use of such subsurface traffic location center, including entrances, approaches and exits, provided that the surface of said land, except as aforesaid, shall be used for the same purpose as used prior to the establishment of such subsurface traffic location center.

C. 40:178-30.1.
May devote
land for
subsurface
traffic location.

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

Note:
Repealer.

3. This act shall take effect immediately.

Approved June 20, 1947.

CHAPTER 312

AN ACT concerning insurance companies, and amending section 17:17-1 of the Revised Statutes.

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

Section
amended.

1. Section 17:17-1 of the Revised Statutes is amended to read as follows:

Kinds of
insurance.

17:17-1. Ten or more persons may form a corporation for the purpose of making of any kinds of insurance, as follows:

a. Against direct or indirect loss or damage to property, including loss of use or occupancy, by fire; smoke; smudge; lightning; tempest on land, including windstorm, tornado and cyclone; earthquake; collapse of buildings; hail; frost or snow; weather or climatic conditions, including excess or deficiency of moisture, flood, rain or drought, rising of the waters of the ocean or its tributaries; bombardment; invasion; insurrection; riot; civil war or commotion; military or usurped power; vandalism or malicious mischief; striking employees; explosion, whether fire ensues or not, except explosion of steam boilers and flywheels; and arising from the use of elevators, aircraft, automobiles or other vehicles; against loss or damage by insects or disease to farm crops or products and loss of rental value of land used in producing the crops or products.

b. Against any kinds of loss or damage to: Vessels, craft, aircraft, cars, automobiles and vehicles of every kind, including all kinds of automobile and aircraft insurance (excepting insurance against loss by reason of bodily injury to the person), as well as all goods, freights, cargoes, merchandise, effects, disbursements, profits, moneys, bullion, precious stones, securities, choses in action,

evidence of debt, valuable papers, bottomry and respondentia interests, and all other kinds of property and interests therein, in respect to, appertaining to or in connection with any and all risks or perils of navigation, transit, or transportation, including war risks, on or under any seas or other waters, on land or in the air, or while being assembled, packed, crated, baled, compressed or similarly prepared for shipment or while awaiting the same or during any delays, storage, transshipment or reshipment incident thereto, including marine builder's risk and all personal property floater risks, and to person or to property in connection with or appertaining to a marine, inland marine, transit or transportation insurance, including liability for loss of or damage to either, arising out of or in connection with the construction, repair, operation, maintenance or use of the subject matter of the insurance (but not including life insurance or surety bonds) but, except as herein specified, not against loss by reason of bodily injury to the person.

c. Upon the lives or health of persons, and every insurance appertaining thereto, and to grant, purchase or dispose of annuities.

d. Against bodily injury or death by accident, and upon the health of persons, including a funeral benefit to an amount not exceeding one hundred dollars (\$100.00) or against loss or damage to automobiles or motor vehicles, or to wagons or vehicles propelled by a horse or team of any description, resulting from collision with moving or stationary objects, against perils to property arising from the use of elevators, aircraft, automobiles or other motor vehicles, or against loss by legal liability for damage to persons or property resulting from collision of automobiles, aircraft, or motor vehicles, or of wagons or vehicles propelled by a horse or team with moving or stationary objects.

e. Against loss or damage resulting from accident to or injury suffered by any person for which loss or damage the insured is liable.

f. Against damage to property of the insured or loss of life or damage to the person or property of others for which the insured is liable, caused by the explosion of steam boilers, pipes, engines, motors and machinery connected therewith or operated thereby.

g. Against loss from the defaults of persons in positions of trust, public or private, or against loss or damage on account of neglect or breaches of duty or obligations guaranteed by the insurer; and against loss by banks, bankers, brokers, financial or moneyed corporations or associations, of any bills of exchange, notes, checks, drafts, acceptances of drafts, bonds, securities, evidences of debt, deeds, mortgages, documents, gold or silver, bullion, currency, money, platinum and other precious metals, refined or unrefined and articles made therefrom, jewelry, watches, necklaces, bracelets, gems, precious and semiprecious stones, and also against loss resulting from damage, except by fire, to the insured's premises, furnishings, fixtures, equipment, safes and vaults therein caused by burglary, robbery, hold-up, theft or larceny, or attempt threat. No such indemnity indemnifying against loss of any property as specified herein shall indemnify against the loss of any such property occurring while in the mail or in the custody or possession of a carrier for hire for the purpose of transportation, except for the purpose of transportation by an armored motor vehicle accompanied by one or more armed guards.

h. Against loss or damage on account of encumbrances upon or defects in titles to real property. Any company organized or operating under this paragraph shall have the right, in addition to its other powers, to make searches, abstracts, examine titles to real property and chattels, and procure and furnish information in relation thereto.

i. Against loss from bad debts, commonly known as credit insurance.

j. Against loss or damage by burglary, theft, larceny, robbery, forgery, fraud, vandalism or malicious mischief, or any one or more of such hazards; and against any and all kinds of loss or destruction of or damage to moneys, securities, currencies, scrip, coins, bullion, bonds, notes, drafts, acceptances of drafts, bills of exchange and other valuable papers or documents, except while in the custody or possession of and being transported by a carrier for hire or in the mail; and against loss or damage to automobiles and aircraft by burglary, larceny, or theft, vandalism or malicious mischief, confiscation or wrongful conversion, disposal or concealment, whether held under conditional sale contract or subject to chattel mortgages, or otherwise, or any one or more of such hazards.

k. Against loss of and damage to glass, including lettering and ornamentation thereon, and the frame in which the glass is set resulting from breakage of the insured glass.

l. Against loss or damage by water or other fluid to any goods or premises arising from the breaking or leakage of sprinklers, pumps, or other apparatus erected for extinguishing fires, or of other conduits or containers, or by water entering through leaks or openings in buildings, and of water pipes and against accidental injury to such sprinklers, pumps, conduits, containers, water pipes and other apparatus; including loss of use or occupancy of the property so damaged.

m. Upon the lives of horses, cattle and other livestock or against loss by theft of any such property or both.

n. Against loss or damage to property by smoke or smudge, or both.

o. Any specified kinds of insurance not included in any of the foregoing paragraphs and which are proper subjects of insurance.

Any company, which, by its charter, is authorized to make insurance against loss or damage to property caused by fire, lightning, or tempest on land, may, without amending its charter, be au-

thorized by the Commissioner of Banking and Insurance to transact all of the kinds of insurance described in paragraph "a," "b" and "l" hereof, if it is possessed of the capital stock and surplus or cash premiums required by sections 17:17-6 and 17:17-7 of this Title; or any company which, by its charter, is authorized to make any of the kinds of insurance described in any of the paragraphs "a" to "o," inclusive, of section 17:17-1 of this Title, except paragraph "c," may, without amending its charter, if it is possessed of a capital stock of at least two million dollars (\$2,000,000.00) and surplus of at least one million dollars (\$1,000,000.00) or, if a mutual company, it is possessed of net cash assets (excess of allowable assets over all liabilities) of at least three million dollars (\$3,000,000.00), be authorized by the Commissioner of Banking and Insurance to transact any other kind or kinds of insurance that may be proper subjects of insurance, except upon the lives of persons or the granting of annuities.

2. This act shall take effect immediately.

Approved June 20, 1947.

CHAPTER 313

AN ACT to amend "An act concerning proceedings in the Court of Chancery involving certain absent defendants in time of war," approved October third, one thousand nine hundred and forty-two (P. L. 1942, c. 297).

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

Section
amended.

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

C. 2:29-41.2.
Service
of notice.

2. Service of notice upon defendant brought in under section one of this act.

Such notice as is required by law to be published against absent defendants in default of personal service, addressed by name to the person mentioned in section one of this act, and to "his heirs-at-law, devisees, grantees, next-of-kin, issue, legatees, and personal representatives," or such of them as may be proper parties defendant as aforesaid, and containing such further statements and giving such further time as the Chancellor may by his order direct, shall be first published in such manner as the Chancellor may by his order in such suit direct, and shall, on or before the day of the first publication thereof, be sent by registered mail, addressed to such person and his heirs-at-law, devisees, grantees, next-of-kin, issue, legatees, and personal representatives, or such of them as may be proper parties defendant as aforesaid, in care of the office of Alien Property, Department of Justice, Washington, D. C.; *provided*, that if the Attorney-General of the United States, within sixty days from the receipt by it of such notice, shall not file with the Court of Chancery a written acceptance thereof, such other or further notice shall be given in such manner as the Chancellor may by his order direct.

Proviso.

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

Section amended.

3. Failure of defendant brought in under section one of this act to answer; appointment of guardian ad litem; procedure.

C. 2:29-41.3.
Failure of defendant to answer.

In case the person mentioned in section one of this act, or his heirs-at-law, devisees, grantees, next-of-kin, issue, legatees, and personal representatives, or such of them as may have been made parties defendant as mentioned in section one of this act, shall not answer within the time limited in the notice prescribed in section two of this act, or further allowed by the Chancellor if he shall think proper, the Chancellor shall by his order in such suit assign and appoint a guardian ad litem for such person and for his heirs-at-law, devisees, grantees, next-of-kin, issue, legatees, and personal

representatives, or such of them as may have been made parties defendant to said suit, by whom they may appear and defend such suit, and such suit may proceed in all respects as if such person, or his heirs-at-law, devisees, grantees, next-of-kin, issue, legatees, and personal representatives, or such of them as may have been made parties defendant to said suit, had been duly named and described and served in this State with process of subpoena to answer in such suit. The Chancellor may, in his discretion, appoint the Attorney-General of the United States as such guardian ad litem.

Section
amended.

3. Section five of the act of which this act is amendatory is amended to read as follows:

C. 2:29-41.5.
Decree for
payment.

5. Decree for payment of money, et cetera, to Attorney-General of the United States or to Clerk in Chancery; effect of receipt for same.

Whenever any suit in the Court of Chancery shall have proceeded against a defendant as to whom it cannot be ascertained whether he is still alive, and against his heirs-at-law, devisees, grantees, next-of-kin, issue, legatees and personal representatives, or such of them as have been made parties defendant therein, as provided in sections one, two, three and four of this act, and a decree directing, approving or authorizing the payment of any money or the delivery, transfer or conveyance of any property to such person or to his heirs-at-law, devisees, grantees, next-of-kin, issue, legatees, and personal representatives, or such of them as have been made parties defendant therein, or adjudging that he is or they are entitled to any moneys or property or an interest therein, is about to be or shall have been made in such suit, and it appears that circumstances exist making it in the public interest that such payment or transfer should be withheld, the court may direct in said decree or by order thereafter that such money be paid or such property be delivered, transferred or conveyed to the Attorney-General of the United States, if he will receive the same, and upon such

payment or delivery, transfer or conveyance by any fiduciary, or officer or other person in possession or having custody or control of said moneys or property, or any other person adjudged by the court to be liable for the payment of any money or the delivery of any property to such defendant or defendants, the said fiduciary, officer or other person or persons, as the case may be, shall take therefor the receipt of the Attorney-General of the United States. If the Attorney-General of the United States, within sixty days after receipt by him of a certified copy of said decree, which shall be sent to him at the Office of Alien Property, Department of Justice, Washington, D. C., by registered mail, shall not file with the Court of Chancery, a consent to accept and receipt for such money or property, the said fiduciary, officer or other person or persons, may, upon filing the affidavit required by section six of this act, pay the said money or deliver, transfer or convey the said property to the clerk of the court, taking therefor the receipt of the said clerk.

Such receipt signed by the Attorney-General of the United States or the said clerk, as the case may be, shall be a full and sufficient discharge, release and acquittance to the fiduciary, officer, or other person or persons, for moneys so by him paid or the property so by him delivered, transferred or conveyed to the Attorney-General of the United States or to the said clerk and against the claimant thereto entitled and the same may be recorded in the office of the clerk in the same manner in which releases for legacies and distributive shares may be recorded.

4. Section six of the act of which this act is amendatory is amended to read as follows:

6. Statement of compliance with decree, et cetera.

Upon payment of money or delivery, transfer, or conveyance of property to the Attorney-General of the United States pursuant to section five of this act, the said fiduciary, officer or other person

Effect of receipt.

Section amended.

C. 2:29-41.6.
Statement of compliance.

or persons shall file with the clerk of the court a statement of the compliance by him with the directions or other orders contained in the said decree or order, and in the event the said officer shall refuse or fail to accept and receipt for the same as provided in the preceding section, the said fiduciary, officer, or other person or persons shall file with the clerk, at the time of the payment to the latter of the said money or delivery, transfer or conveyance of the said property, an affidavit that a certified copy of the said decree has been sent by registered mail to the Attorney-General of the United States at the Office of Alien Property, Department of Justice, Washington, D. C., that more than sixty days have elapsed since the receipt by the Attorney-General of the United States of such certified copy and that he has not filed with the Court of Chancery his consent to accept and receipt for such money or property.

5. This act shall take effect immediately.

Approved June 20, 1947.

CHAPTER 314

AN ACT concerning jury commissioners, and amending section 2:87-5 of the Revised Statutes.

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

Section
amended.

1. Section 2:87-5 of the Revised Statutes is amended to read as follows:

Office to
become vacant.

2:87-5. The office of a jury commissioner appointed pursuant to section 2:87-1 of this Title shall become vacant, immediately upon his assuming the duties of any other public office, or if he holds the office of sheriff, immediately upon the expiration of his term of office as sheriff.

Approved June 20, 1947.

CHAPTER 315

AN ACT relating to Federal aid to counties and municipalities for the development of public airports.

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

1. No county or municipality in this State, whether acting alone or jointly with another county or municipality or with the State, shall submit to the Administrator of Civil Aeronautics of the United States any project application under the provisions of Section 9 (a) of the Act of Congress approved May thirteenth, one thousand nine hundred and forty-six, being Public Law 377, 79th Congress, known and hereinafter designated as the "Federal Airport Act," or any amendment thereof and supplement thereto, or under any other Federal law, unless the project and the project application have been first approved by the State Department of Aviation. C. 6:3-1.
Approval
of project.

2. No such county or municipality, individually or jointly, shall directly accept, receive, receipt for, or disburse any funds granted by the United States under the Federal Airport Act, or any amendment thereof or supplement thereto, or under any other Federal law; and the State Treasurer is hereby designated as agent to accept, receive, receipt for and disburse such funds in behalf of any county or municipality acting individually or jointly, as the case may be. C. 6:3-2.
State treasurer
to act as agent.

3. After approval by the State Department of Aviation, a municipality or county shall, individually or jointly, as the case may be, enter into agreement with the State Treasurer prescribing the terms and conditions of such agency in accordance with Federal laws, rules and regulations and applicable laws of this State. C. 6:3-3.
Agreement.

C. 6:3-4.
Expenditure
under U. S.
regulations.

4. Any moneys so paid over by the United States Government shall be retained by the State or paid over to each municipality or county, individually or jointly, as the case may be, under such terms and conditions as may be imposed by the United States Government in making such grant.

5. This act shall take effect immediately.
Approved June 20, 1947.

CHAPTER 316

AN ACT authorizing the leasing of certain real estate by municipalities to rescue squads, and supplementing 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. 40:60-45.2.
May lease to
rescue squad.

Application
of act.

1. The governing body of any municipality may lease any real estate owned or controlled by it or any interest therein when, and to the extent that, it is not required for municipal purposes, to any rescue squad while it is used for the purposes of such organization but not for commercial business, trade or manufacturing purposes, without cost or at a nominal rental. This section shall not apply to any real estate owned or controlled by a board of education.

2. This act shall take effect immediately.
Approved June 20, 1947.

CHAPTER 317

AN ACT concerning motor vehicles, and amending
section 39:3-24 of the Revised Statutes.

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

1. Section 39:3-24 of the Revised Statutes is amended to read as follows: Section
amended.

39:3-24. The commissioner shall license farm tractors and traction equipment used for farm operation to travel upon the public highways at a speed not exceeding eighteen miles per hour, in cases where the same are equipped with rubber tires or, if without rubber tires, where coverings of wood or other substances are attached to the wheels in such manner as to present a smooth surface to the highways and in accordance with the regulations the commissioner adopts. The fee for the license shall be three dollars Licensing
tractors.

Fee. (\$3.00) per annum, whether the license is issued for the yearly period or only a portion thereof. Such traction engines or farm tractors may draw agricultural machinery and implements while in transit from one farm to another without additional license therefor; *provided*, the wheels of such agricultural machinery and implements are covered with wood or other substance so as to present a smooth surface to the highway in accordance with the regulations of the commissioner if the same is not equipped with rubber tires. Proviso.

2. This act shall take effect immediately.

Approved June 20, 1947.

CHAPTER 318

AN Act to validate certain proceedings in the Court of Chancery which were not conducted in accordance with the provisions of "An act concerning proceedings in the Court of Chancery involving certain absent defendants in time of war," approved October third, one thousand nine hundred and forty-two (P. L. 1942, c. 297).

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

Proceedings
validated.

1. Any suit commenced in the Court of Chancery in which the provisions of "An act concerning proceedings in the Court of Chancery involving certain absent defendants in time of war," approved October third, one thousand nine hundred and forty-two (P. L. 1942, c. 297), were applicable, and in which suit service of process was not made on the Alien Property Custodian in accordance with said act because the Alien Property Custodian refused to accept service, and any judgment or decree had therein is hereby validated, notwithstanding that such suit is not conducted in accordance with said act so long as any absent defendants therein were served in accordance with the rules of the Court of Chancery concerning absent defendants.

2. This act shall take effect immediately.

Approved June 20, 1947.

CHAPTER 319

AN ACT concerning game, wild birds and animals,
and amending section 23:4-25 of the Revised
Statutes.

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

1. Section 23:4-25 of the Revised Statutes is
amended to read as follows: Section
amended.

23:4-25. The owner, lessee or custodian of a dog
found running at large in the woods or fields, or
a person going into the woods or fields with a
hound or firearm, except during the open season
for quail, rabbit, squirrel, English or ring-necked
pheasant, raccoon, woodchuck, ruffed grouse, or
partridge, shall be liable to a penalty of twenty
dollars (\$20.00) for each offense. Dogs running
at large,
penalty.

The occupant of a farm may permit his dog to
run at large on the land he occupies, except during
the open season for deer. The owner, lessee or
custodian of a dog may go into the woods or fields
with the dog without firearms for the purpose of
exercising or training it in daylight at any time,
except during the open season for deer. Nothing
in this section contained shall be construed to pro-
hibit the training of raccoon dogs between the
hours of sunset and sunrise for a period of four
weeks prior to the last week preceding the opening
of the raccoon season. Construction.

Construing.

This section shall not apply to hunting deer,
raccoon, woodchuck, woodcock, snipe, rail, mud hen
and waterfowl at the time and in the manner pro-
vided by law, or to the killing of crows, hawks,
woodchuck and vermin at any time of the year
when in the act of destroying poultry, crops or
property. Application
of section.

2. This act shall take effect immediately.

Approved June 20, 1947.

CHAPTER 320

AN ACT to establish benefit rights in the State Employees' Retirement System for individuals whose names appeared on State Civil Service active employment lists and who were selected from such lists for employment with the Federal Government during the emergency of World War II, and who have returned to State service, and who are or shall become members of the State system, and supplementing chapter fourteen of Title 43 of the Revised Statutes (R. S. 43:14-1 et seq.).

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

C. 43:14-2.13.
Permitted to
contribute
to system.

1. Any individual whose name appeared on a State Civil Service active employment list, and who was selected from such list for employment with the Federal Government during the emergency of World War II, and who has returned to service with this State, and who is or shall become a member of the State Employees' Retirement System, shall be permitted to contribute to the annuity savings fund of said system such sum or sums, either in one payment or installments, as determined by the board of trustees to be sufficient to cover the amount which would have been contributed by such individual had he or she entered State employment upon certification from said list and had become a member of said system, together with such interest thereon as shall be determined to be just by said board; any board, body or commission of this State which has, had, or shall have, moneys contributed by the Federal Government for that purpose shall pay into such system such amount or amounts as would have been contributed by it on account of such services had such services

been rendered to the State, together with such interest as shall be determined to be just by such board.

2. The said board is hereby authorized and required to receive said contributions, both for annuity and pension purposes, it being the intention hereto to accord to such individual all retirement rights which such individual would have acquired by rendering services to the State, instead of to the Federal Government in and during the emergency of World War II and by becoming a member of the State Employees' Retirement System.

C. 43:14-2.14.
Authorized
to receive
contribution.

3. This act shall take effect immediately.

Approved June 20, 1947.

CHAPTER 321

AN ACT concerning annual reports by insurance companies, and amending section 17:23-1 of the Revised Statutes.

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

1. Section 17:23-1 of the Revised Statutes is amended to read as follows:

Section
amended.

17:23-1. Every insurance company transacting business in this State shall annually, on or before March first, file in the department a statement, subscribed and sworn to by its president and secretary, or, in their absence, by two of its principal officers, showing its financial condition at the close of business on December thirty-first of the year last preceding, and its business for that year. The statement shall be in the form and contain the matters the commissioner prescribes. The commissioner may also address any inquiries to the company or its officers in relation to its condition

Annual report.

Form and
content.

or affairs, or any matter connected with its transactions, and the officers of the company shall promptly reply in writing to all the inquiries. The commissioner may, for good cause, extend the time within which the statement or any part thereof may be filed. The annual statement of a company of a foreign country shall embrace only its business and condition in the United States, and shall be subscribed and sworn to by its resident manager or principal representative in charge of its American business.

To furnish
forms.

Separate
statements
required.

The commissioner, shall, annually, in the month of December furnish to each of the companies authorized to do business in this State and required to make an annual statement to the department, one or more blanks in form adapted for such statements, which shall conform substantially to the form of statement adopted by the National Association of Insurance Commissioners and in use on the effective date of this act. A life insurance company issuing both participating and nonparticipating policies, shall make such separate statement of profits and losses, margins and expenses, with reference to each of such kinds of business, and showing the manner in which any general outlays of the company have been apportioned to each of such kinds of business, as may be required by the commissioner. The commissioner shall have power to make from time to time such modifications and additions in such form and the matters contained therein as he may deem desirable or necessary to ascertain the condition and affairs of the company.

2. This act shall take effect immediately.

Approved June 20, 1947.

CHAPTER 322

AN ACT to authorize municipalities in certain cases to sell lands when not needed for public use and which were purported to have been dedicated as a public street.

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

1. Whenever any municipality has received, or shall hereafter receive, title to riparian lands of which there has been a purported dedication as a public street and said lands have not been dedicated or opened as a street nor the purported dedication thereof as a street accepted by the municipality because of a relocation of such purported dedicated street by the making and filing of new maps of real estate development showing such relocation and showing such riparian lands as numbered lots in such development, the municipality, when the governing body thereof shall have determined that said lands are not needed for public use, may by resolution provide for the sale of such lands, subject to the terms and conditions of the grant under which title to such riparian lands was conveyed by the State, at such prices and on such terms and conditions as said governing body may determine and sell such lands accordingly.

C. 40:60-28.1.
Selling certain
lands not
needed for
public use.

2. This act shall take effect immediately.

Approved June 20, 1947.

CHAPTER 323

AN Act to amend the title of "An act authorizing the State Department of Health to purchase and to distribute typhoid vaccine and other immunizing biologicals in emergencies," approved May sixth, one thousand nine hundred and forty-two (P. L. 1942, c. 148), so that the same shall read "An act authorizing the State Department of Health to purchase and to distribute typhoid vaccine and other biologicals and anti-biotics," and to amend the body of said act.

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

Title amended.

1. The title of "An act authorizing the State Department of Health to purchase and to distribute typhoid vaccine and other immunizing biologicals in emergencies," approved May sixth, one thousand nine hundred and forty-two, is amended to read "An act authorizing the State Department of Health to purchase and to distribute typhoid vaccine and other biologicals and anti-biotics."

Net title.

Section amended.

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

C. 26:4-100.4.
Authorized
to purchase
and distribute
vaccines, etc.

1. The Department of Health of the State of New Jersey is hereby authorized, within the limits of available appropriations therefor, to purchase and to distribute free, in accordance with rules of said department, typhoid vaccine, other biologicals, and anti-biotics, for use in preventing or treating communicable diseases.

3. This act shall take effect immediately.

Approved June 20, 1947.

CHAPTER 324

AN ACT to prohibit the disclosure of certain communications made in the course of religious discipline.

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

1. A clergyman, or other minister of any religion, shall not be allowed or compelled to disclose in any court, or to any public officer, a confession made to him in his professional character, or as a spiritual advisor, or as a spiritual advisor in the course of discipline enjoined by the rules or practice of the religious body to which he belongs or of the religion which he professes.

C. 2:97:5.1.
Prohibits
disclosure
of certain com-
munications.

2. This act shall take effect immediately.

Approved June 20, 1947.

CHAPTER 325

AN ACT to amend "An act concerning the State Highway Department and providing for an additional route in the State highway system," approved April fifth, one thousand nine hundred and forty-one (P. L. 1941, c. 32).

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 State Highway Commissioner shall, as soon as practicable and in accordance with the procedure set forth in article one of chapter seven of

Additional
route.

Title 27 of the Revised Statutes, add to the present State highway system the following described route:

Location. Route No. Beginning on Route No. 1 at or near the boundary line between Bayonne and Jersey City and from thence across the Bayonne peninsula to a point where connection can be made to roads leading to Bayonne Naval Supply Base and Bayonne Naval Drydock. The route so established is hereby designated as a freeway as defined in chapter eighty-three of the laws of one thousand nine hundred and forty-five.

Freeway.

2. This act shall take effect immediately.

Approved June 20, 1947.

CHAPTER 326

AN ACT making it a misdemeanor to transmit false and untrue statements for publication or radio broadcasting.

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

C. 2:129A-1.
Transmission
of false
statement,
misdemeanor.

1. Any person who knowingly and willfully states, delivers or transmits by any means, to any owner, manager, editor, reporter or employee of, or connected with, any newspaper, magazine, periodical or other publication, or of any radio station, any false and untrue statement as though it were a fact, concerning any person, firm, corporation or association, with intent that such false and untrue statement be published or broadcast, shall be guilty of a misdemeanor.

2. This act shall take effect immediately.

Approved June 20, 1947.

CHAPTER 327

AN ACT authorizing and directing the State Treasurer to transfer the sum of one hundred thousand dollars (\$100,000.00) from the Interconnection Revolving Fund of the State Water Policy Commission to the General State Fund.

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

1. The State Treasurer is authorized and directed to transfer the sum of one hundred thousand dollars (\$100,000.00) from the Interconnection Revolving Fund of the State Water Policy Commission to the General State Fund. Fund transferred.

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

Approved June 20, 1947.

CHAPTER 328

AN ACT adding a new route to the State highway system and designating same as a parkway.

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

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

Beginning at the intersection of Route 25 and of the route described in chapter one hundred seventeen, laws of one thousand nine hundred and forty-six, thence continuing in a general southeasterly Location.

direction and terminating at a point on Route 35 northerly of the Raritan river, all in Woodbridge township, Middlesex county.

May use
allocated
funds.

2. As the route hereby established is a necessary link of said route described in chapter one hundred seventeen, laws of one thousand nine hundred and forty-six, any moneys now or hereafter allocated to the construction of said route described in chapter one hundred seventeen, laws of one thousand nine hundred and forty-six, may be used for the construction and acquisition of right-of-way for the route hereby established.

Parkway.

3. The route hereby established is hereby designated as a parkway, as defined in chapter eighty-three of the laws of one thousand nine hundred and forty-five.

4. This act shall take effect immediately.

Approved June 20, 1947.

CHAPTER 329

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

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

Additional
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, Title 27, of the Revised Statutes, add to the present State highway system the following described route: Route No., beginning at a point at or in the vicinity of the intersection of Route 10 and Route 6 at Ledgewood, Morris county; thence in a general northerly direction to Route 6A in the vicinity of Lafayette, Sussex county.

Location.

2. This act shall take effect immediately.

Approved June 20, 1947.

CHAPTER 330

AN ACT to amend "An act to facilitate the financing and effectuation of air terminals by the Port of New York Authority and agreeing with the State of New York with respect thereto" approved April second, one thousand nine hundred and forty-seven (P. L. 1947, c. 43).

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

1. Upon the concurrence of the State of New York herein, in accordance with section four of this act, the States of New Jersey and New York agree that section eight of chapter forty-three of the laws of New Jersey of one thousand nine hundred and forty-seven, entitled "An act to facilitate the financing and effectuation of air terminals by the Port of New York Authority and agreeing with the State of New York with respect thereto," and the corresponding provisions of any act of New York, heretofore or hereafter adopted, concurring in said chapter forty-three of the laws of New Jersey of one thousand nine hundred and forty-seven, shall be and it hereby is amended to read as follows:

Section to be amended upon concurrence.

8. (a) Notwithstanding any contrary provision of law, every municipality in the Port of New York District is authorized and empowered to consent to the use by the Port Authority of any air terminal owned by such municipality or of any real or personal property owned by such municipality and necessary, convenient or desirable in the opinion of the Port Authority for air terminal purposes, including such real property as has already been devoted to a public use, and as an incident to such consent, to grant, convey, lease, or otherwise transfer to the Port Authority any such air terminal or real or personal property, upon such

C. 32:1-35.8.
Authorized to consent.

terms as may be determined by the Port Authority and such municipality. Every such municipality is also authorized and empowered as an incident to such consent to vest in the Port Authority the control, operation, maintenance, rents, tolls, charges and any and all other revenues of any air terminal now owned by such municipality, the title to such air terminal remaining in such municipality. Such consent shall be given and the execution of any agreement, deed, lease, conveyance, or other instrument evidencing such consent or given as an incident thereto shall be authorized in the manner provided in Article XXII of the Compact of April thirtieth, one thousand nine hundred and twenty-one, between the two States creating the Port Authority.

Consent by
outside
municipality.

(b) Notwithstanding any contrary provision of law, every municipality outside the Port District is authorized and empowered to consent to the use of real property owned by such municipality and necessary, convenient or desirable in the opinion of the Port Authority for beacons or other aids to navigation, or to the use of any air space over real property owned by such municipality; and as an incident to such consent, to grant, lease, convey or otherwise transfer to the Port Authority such real property or air space.

Giving of
consent.

Such consent shall be given and the execution of any agreement, deed, lease, conveyance or other instrument evidencing such consent or given as an incident thereto, shall be given by the officer, board or body authorized by law to convey such property, or if no officer, board or body be otherwise authorized so to do, by the governing body of such municipality.

Consent to
suits and
proceedings,
types.

(c) The States of New Jersey and New York hereby consent to suits, actions or proceedings of any form or nature in law, equity or otherwise by any city or other municipality against the Port Authority upon, in connection with or arising out of any such agreement, agreements or any modification thereof or supplement thereto, for

the following types of relief and for such purposes only:

(1) For money damages for breach thereof,

(2) For money damages for torts arising out of the operation of the municipal air terminal,

(3) For rent,

(4) For specific performance,

(5) For reformation thereof,

(6) For accounting,

(7) For declaratory judgment,

(8) For judgments, orders or decrees restraining or enjoining the Port Authority from transferring title to real property to third persons in cases where it has contracted with such city or other municipality to transfer such title to such city or municipality, and

(9) For judgments, orders or decrees restraining or enjoining the Port Authority from committing or continuing to commit other breaches of such agreements with such city or municipality; *provided*, that if the proceeding for such judgment, order or decree is brought in a court of the State of New Jersey, it shall not take effect until affirmed by the Court of Errors and Appeals of that State, or if the Port Authority takes no appeal therefrom, until the time to take such appeal has expired; *provided, further*, that if the proceeding for such judgment, order or decree is brought in a court of the State of New York, it shall not take effect until affirmed by the Appellate Division of the Supreme Court, or if the Port Authority takes no appeal therefrom, until the time to take such appeal has expired; *and provided, lastly*, that if the proceeding for such judgment, order or decree is brought in a Federal court, it shall not take effect until affirmed by the Circuit Court of Appeals, or if the Port Au-

thority fails to take an appeal therefrom, until the time to appeal has expired.

Venue.

When rules of venue are applicable, the venue of any such suit, action or proceeding shall be laid in the county or judicial district in which the airport, which is the subject matter of such agreement between the Port Authority and the city or other municipality, or any part thereof, is located.

Parts severable.

If any clause, sentence, paragraph, or part of this subdivision 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 subdivision, and the application thereof to any other person 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.

Section amended upon concurrence.

2. Upon the concurrence of the State of New York herein, in accordance with section four of this act, the States of New Jersey and New York agree that section ten of chapter forty-three of the laws of New Jersey of one thousand nine hundred and forty-seven, entitled "An act to facilitate the financing and effectuation of air terminals by the Port of New York Authority and agreeing with the State of New York with respect thereto," and the corresponding provisions of any act of New York, heretofore or hereafter adopted, concurring in said chapter forty-three of the laws of New Jersey of one thousand nine hundred and forty-seven, shall be and it hereby is amended to read as follows:

C. 32:1-35.10.
Application for Federal aid.

Proviso.

10. The Port Authority may make application directly to the proper Federal officials or agencies for Federal loans or grants in aid of air terminals owned or operated by it; *provided*, that if either State shall have or adopt general legislation governing applications for Federal aid for air term-

inals by municipalities of such State, or the receipt or disbursement of such Federal aid by or on behalf of such municipalities, then such legislation shall at the option of such State apply to applications by the Port Authority for Federal aid for air terminals located in such State and to the receipt and disbursement of such Federal aid by or on behalf of the Port Authority, in the same manner and to the same extent as other municipalities of such State. Except as above provided, and except as otherwise provided in any agreement between the Port Authority and a municipality, no agency or commission of either State shall have jurisdiction over any air terminals under the control of the Port Authority, and all details of financing, construction, leasing, charges, rates, tolls, contracts and the operation of air terminals owned or controlled by the Port Authority shall be within its sole discretion and its decision in connection with any and all matters concerning such air terminals shall be controlling and conclusive.

3. Section fifteen of the act of which this act is amendatory is amended to read as follows:

Section
amended.

15. Subject to the foregoing limitations, the Port Authority may exercise the right of eminent domain or condemnation to acquire real property for air terminal purposes as set forth in this section:

C. 32:1-35.15.
Exercising
right of
eminent
domain:

(a) As used in this section, unless otherwise expressly stated or unless context or subject matter otherwise requires, the following terms shall mean:

Terms defined;

(1) "Days": Calendar days exclusive of Sundays and full legal holidays.

(2) "Owner": A person having an estate, interest or easement in the real property being acquired or a lien, charge or encumbrance thereon.

(b) Whenever the Port Authority shall determine that it is necessary to acquire real property

Surveys
and plans;

for air terminal purposes for the public use by the exercise of the right of eminent domain or condemnation, it shall prepare three similar surveys, diagrams, maps, plans or profiles of the real property being acquired, stating thereon that the Port Authority has determined that it is necessary to acquire said property, and the amount or valuation at which each parcel of real property to be acquired has been assessed for purposes of taxation on the tax rolls for each of the three years preceding, and if the interest being taken shall be less than the fee, the estimated value of such interest; one of such surveys, diagrams, maps, plans or profiles shall be filed in the office of the secretary of the Port Authority, the second shall be filed in the office in which instruments affecting real property are required to be recorded, in the county in which such real property is situated, and the third copy shall be filed in the office of the Clerk of the Supreme Court; and it shall file in the office of the clerk of the county where the real property to be acquired or any part thereof is situated a notice of the pendency of a proceeding for the acquisition of such property. Such notice shall briefly state the object of the proceeding and shall contain a brief description of the real property being acquired thereby. It shall also state the names of such of the owners of such real property as may be known to the Port Authority, and in case any of the owners are unknown, a statement to that effect shall be made in such notice. Such notice, from the time of filing, shall be constructive notice to a purchaser or encumbrancer of the real property affected thereby from or against any person interested as owner with respect to whom the notice is directed to be indexed.

Right of
entry;

It shall be lawful for the duly authorized agents of the Port Authority, and all persons acting under its authority and by its direction, to enter in the daytime into and upon such real property which it shall be necessary so to enter, for the purpose

of making such surveys, diagrams, maps or plans, or for the purpose of making such soundings or borings as the Port Authority may deem necessary.

(c) Whenever any land or other property taken for public use shall lie or be in two or more counties, all reports, petitions, orders and other papers required to be filed shall be filed in the clerk's office of the county in which the greater part in value of the land or other property is situate and a certified copy thereof shall be filed and recorded in the clerk's office of the other county or counties. The commissioners, if any be designated, shall be residents of the county in which the greater part in value of the land or other property is situate.

When property lies in two or more counties;

(d) Upon the filing of the *lis pendens*, the Port Authority shall cause notice by advertisement to be published on one day in each of four successive weeks in a newspaper published and of general circulation in the county in which the real property to be acquired is located, of its intention to make application to one of the justices of the Supreme Court, at a time and place to be stated in such notice, to have the compensation which should justly be made to the respective owners of the real property proposed to be taken, ascertained and determined by the justice. Such notice shall indicate the real property to be taken by a general description and by reference to the map on file in the office of the Port Authority, in the office in which instruments affecting real property are required to be recorded, and in the office of the Clerk of the Supreme Court.

Publication of notice;

(e) In addition to the provisions contained in subdivision (d) above, written notice of the application shall be given by the Port Authority to the owners of all property affected by the proceeding at least ten days prior to such application, by mailing the same to such owners at the address registered or filed with the collector of taxes for the purpose of forwarding to them bills for taxes or assessments. Such notice shall state the pur-

Written notice to owners;

pose for which the property is to be acquired and the date when such application will be presented and shall contain a copy of such application. Failure to comply with the directions contained in this subdivision shall not invalidate or affect the proceeding.

Petition,
contents;

(f) Upon the application to condemn, the Port Authority shall present to the justice a verified petition setting forth:

(1) The action had by the Board of Commissioners of the Port Authority with reference to the proceeding;

(2) The real property to be acquired therein by setting forth a specific description thereof, and its location with reasonable certainty and by reference to the map on file in the office of the Port Authority, in the office in which instruments affecting real property are required to be recorded, and in the office of the Clerk of the Supreme Court, a copy of which shall be attached to the petition;

(3) The amount of valuation at which each parcel of the real property to be acquired has been assessed for purposes of taxation on the tax rolls for each of the three years preceding the date of the petition, or if the interests being taken shall be less than the fee, the estimated value of such interest;

(4) A prayer that the real property described therein be condemned.

Order granting
application;

(g) At the time and place mentioned in the notice published pursuant to subdivision (d) hereof, unless the justice shall adjourn the application to a subsequent day, and in that event, at the time and place to which such application may be adjourned, upon due proof to his satisfaction of the publication and mailing of such notice and upon filing such petition, the justice shall enter an order granting the application, which order shall be filed in the office of the Clerk of the Supreme Court.

The Port Authority shall, within ten days after the entry of such order, cause a certified copy thereof to be recorded in the office where instruments affecting real property are required to be recorded, in every county in which any part of the real property affected is situated, in the same manner as deeds are recorded, and the register of deeds or county clerk with whom such certified copy shall be recorded, shall index the same in the same manner as recorded deeds are indexed.

(h) The Port Authority, after the filing of the order granting the application to condemn, shall cause to be published on one day in each of four successive weeks in a newspaper published and of general circulation in the county in which the real property to be acquired is located, a notice containing a general description of the real property to be acquired, a statement that such order has been filed and requiring that all owners of such real property shall, on or before a date specified in the order granting the application, file in the office of the Clerk of the Supreme Court, a written claim or demand, duly verified, setting forth the real property owned by the claimant, his post-office address, and the nature of his interest in said real property. The claimant shall within the same time serve on the Port Authority a copy of such verified claim.

(i) Proof of title to the real property to be acquired, where the same is undisputed, together with proof of liens or encumbrances thereon, shall be submitted by the claimant to the Port Authority. The Port Authority shall serve upon all parties or their attorneys who have served upon it copies of their verified claims, a notice of the time and place at which it will receive such proof of title. Where the title of the claimant is disputed, such dispute shall not act as a stay of the proceeding to determine the value of the property to be taken, but the proceeding shall continue in the same manner as it would if there were no dispute as to the title, and the award, if any, shall be

Filing;

Publication
of description
and order.

Receiving proof
of title;

paid into the Court of Chancery by order of the Chancellor, and shall there be distributed, according to law, on the application of any person interested therein. Written notice given to the owner or owners and to persons interested that such moneys have been so paid into court shall have the same effect as if the moneys so awarded had been actually tendered to the owner or persons entitled thereto. Notice by advertisement in such manner as the Chancellor shall direct shall be deemed sufficient notice.

Application to
justice to
fix amount.

(j) After all parties who have filed verified claims, as provided in subdivision (h) hereof, have proved their titles, or have failed to do so after being notified by the Port Authority of the time and place where such proof of title would be received, the Port Authority shall apply to a justice of the Supreme Court for leave to bring on before him upon a day to be fixed by said justice a hearing upon the claim so filed, or in case no claims are filed, to fix the amount to be paid for such lands.

Commis-
sioners;

In order to advise the said justice, he may appoint three commissioners to view said lands, and to advise him what damages, if any, should be assessed for the taking of such lands. The commissioners shall proceed under such directions and rules as shall from time to time be fixed by the said justice to view the lands, to hear such evidence as they may desire, and to fix such sum, if any, that in their judgment will represent the fair value of the lands so taken. The said justice may review such findings and shall not be bound thereby, but may alter or reject such findings in such manner as will, in his judgment, fairly protect the interests of the parties, and such review may be made either with or without further hearing. The commissioners so appointed to advise said justice shall make their report to him within one hundred days from the date of their qualification.

Justice
may review
findings;

Judgment
entered;

After said justice shall have ascertained and estimated the compensation which should justly

be made by the Port Authority to the respective owners of the real property being acquired, he shall then order that judgment be entered in the amount so determined.

(k) It shall be the duty of the justice, or the commissioners designated by him, to view the real property to be acquired. Where title to real property being acquired in a proceeding shall have been vested in the Port Authority, and buildings or improvements situated thereon shall have been removed or destroyed by the Port Authority or pursuant to its authority prior to the proceeding, and whereby the justice is, or the commissioners are, deprived of a view of the buildings or improvements so removed or destroyed, the fact that the justice has not had, or the commissioners have not had a view thereof, shall not preclude the justice or the commissioners from receiving in the proceeding, testimony and evidence as to the damage sustained by the claimant by reason of the taking thereof, when offered on behalf of either the claimant or the Port Authority.

To view real property;

(l) No evidence shall be admitted in the proceeding, as against an owner of real property being acquired, of an offer made by or on behalf of such owner for the sale of his property or any part thereof to the Port Authority, or for the sale or assignment of any right and title to the award or awards, or any part thereof, to be made for such property or any part thereof, in the proceeding; nor shall any evidence be received, as against the Port Authority, of any offer made to such owner, by or on its behalf, for the purchase of such property or any part thereof or for the purchase of the award or awards or any part thereof, to be made for such property, or any part thereof, in the proceeding.

Admission of evidence;

(m) The Port Authority shall furnish to the justice such surveys, diagrams, maps, plans and profiles as the justice shall require, to enable the justice to hear and determine the claims of the owners of the real property affected by the pro-

Surveys and maps furnished;

ceeding. Such surveys, diagrams, maps, plans and profiles shall distinctly indicate by separate numbers, the names of the claimants to, or of the owners of the respective parcels of real property to be taken in such proceeding, so far as the same are known, and shall also specify in figures with sufficient accuracy the dimensions and bounds of such real property. Where possible, such real property shall be designated on such maps by the same ward or block and lot numbers or other designations as shall be used to designate such real property on the tax books and tax maps of the taxing agency in which it is located. The justice may require the Port Authority to furnish such other surveys, diagrams, maps, plans and profiles and such other information as shall aid and assist the justice in the proceeding.

Petition to
review
judgment;

(n) The Port Authority, or any party or person affected by the proceeding and aggrieved by the judgment made therein as to awards may petition the Supreme Court or a justice thereof for a writ of certiorari to review the proceeding in accordance with the provisions contained in chapter eighty-one of Title 2 of the Revised Statutes. If the judgment entered in the proceeding to condemn should be reversed upon any subsequent review, such reversal shall not divest the Port Authority of title to the real property thereby affected.

Payment
of damages;

(o) All damages awarded by the justice, with interest thereon from the date of the filing of the judgment, or if the title to the real property acquired shall have vested in the Port Authority prior thereto, from the date of such vesting, shall be paid by the Port Authority to the respective owners to whom the damages were awarded in the judgment, within two calendar months after the entry of the judgment, without further order of the court, or application for such payment by said owners. Property owners appearing in the proceeding shall not be entitled to recover counsel fees, costs, disbursements or allowances. Any

outstanding taxes, assessments or other liens shall be deducted from the amount of the award and no interest shall be paid by the Port Authority upon the sum or sums so deducted. Payment of an award to a person named in the judgment as the owner thereof, if not under legal disability, shall in the absence of notice in writing to the Port Authority of adverse claims thereto protect the Port Authority and shall be a full acquittance and release of all claims to said award.

In case there shall be a dispute as to title, or the party entitled to receive the amount assessed by the justice shall refuse upon tender thereof to receive the same, or shall be out of the State or under any legal disability, or in case several parties being interested in the fund shall not agree as to the distribution thereof, or in case the lands or other property taken are encumbered by mortgage, judgment or other lien, or if for any other reason the Port Authority cannot safely pay the amount awarded to any person, in all such cases, on petition to the Chancellor, to which shall be annexed a copy of the petition in condemnation and of the findings of the justice or commissioners, if there be any, the amount awarded may be paid into the Court of Chancery by order of the Chancellor, and shall there be distributed according to law, on the application of any person interested therein. Written notice given to the owner or owners and to persons interested that such moneys have been so paid into court shall have the same effect as if the moneys so awarded had been actually tendered to the owner or persons entitled thereto. Notice by advertisement in such manner as the Chancellor shall direct shall be deemed sufficient notice.

Payment
of amount
into court;

(p) The Port Authority may pay to the person entitled to an award for real property acquired in a proceeding, in advance of the final judgment, a sum to be determined by the Port Authority, not exceeding sixty per centum (60%) of the assessed value of the real property taken less the

Payment
in advance;

Proviso;

Assignment
not binding.

May purchase
award;

liens and encumbrances of record thereon; *provided*, that when the real property taken shall be less than the fee, then such sum shall not exceed sixty per centum (60%) of the amount set forth in the petition as the estimated value of such interest, less the liens and encumbrances thereon. If the Port Authority shall make a partial payment in advance either pursuant to this subsection or pursuant to section nine hereof, interest on the sum so paid in advance shall cease to run on and after a date five days after such person shall have been notified by mail or otherwise that the Port Authority is ready to pay the same. In case the person entitled to an award at the date of the vesting of title to the real property in the Port Authority shall have transferred or assigned his claim, such transfer or assignment made by him, or by his successor in interest or legal representative, shall not become binding upon the Port Authority unless the instrument or instruments evidencing such transfer or assignment shall have been filed in the office of the Port Authority prior to any such advance payment. When any such advance payment shall have been made, the Port Authority, on paying the awards for the real property acquired, shall deduct from the total amount allowed as compensation the sum advanced plus interest thereon from the date of the payment of such advance to the date of the final judgment, and the balance shall be paid as hereinbefore provided in subdivision (o) hereof.

(q) In any proceeding hereunder, in which title to the real property to be acquired shall have become vested in the Port Authority prior to the entry of final judgment, the Port Authority shall have power and is hereby authorized to purchase from the owners of such real property at the date of the vesting of title thereto, or their successors in interest or legal representatives, their right and title to the award or awards, or any part thereof, to be made in such proceeding and to take an assignment thereof to the Port Authority.

(r) No pledge, sale, transfer or assignment of an award by the person entitled to receive the same by virtue of the judgment or by other order of the justice, shall be valid unless the instrument evidencing such pledge, sale, transfer or assignment shall be acknowledged or proved as instruments are required to be acknowledged or proved for the recording of transfers of real property and shall be filed in the office of the Port of New York Authority. Every such instrument not so filed shall be void as against any subsequent pledgee or assignee in good faith and for a valuable consideration from the same pledgor or assignor, his heirs, administrators or assigns, of the same award or any portion thereof, the assignment of which is first duly filed in the office of the Port Authority. The Port Authority shall maintain in its office a record of all pledges or assignments filed with it under the provisions hereof.

Pledge, sale
or transfer,
validity;

(s) The justice at any time may correct any defect or informality in any notice, petition, pleading, order or judgment in the proceeding, or cause real property affected by such defect, informality or lack of jurisdiction to be excluded therefrom or any other real property affected by such defect, informality or lack of jurisdiction to be included therein by amendment upon ten days' notice published as provided for the institution of the proceedings and may direct such further notices to be given to any party in interest as it shall deem proper.

Correction
of defects;

(t) The Board of Commissioners of the Port Authority by resolution may abandon any proceeding as to the whole or a part of the lands to be acquired in such proceeding, at any time before title to the real property to be thereby acquired shall have vested in the Port Authority, and may cause new proceedings to be taken for the condemnation of such real property. In case of such abandonment, however, the reasonable actual cash disbursements, necessarily incurred and made in good faith by any party interested, shall be paid

Abandonment
of proceeding;

by the Port Authority, after the same shall have been taxed by a justice of the Supreme Court, upon ten days' notice of such taxation being previously given to the Port Authority, provided the application to have such disbursements taxed shall be made and presented to the justice within one year after the adoption of the resolution of the Board discontinuing the proceeding in whole or in part. For the purposes of this section, the fair and reasonable value of the services of an attorney retained by any interested party to represent his interests in said condemnation proceeding, whether on a contingent fee basis or otherwise, if such retainer be made in good faith, shall be deemed to be an actual cash disbursement, necessarily incurred by such interested party and shall be taxable in the same manner as other disbursements. The amounts taxed as disbursements shall be due and payable thirty days after written demand for payment thereof shall have been filed with the Port Authority.

Vesting title;

Seized in fee;

(u) The title to any piece or parcel of the real property, or any interest therein, authorized to be acquired hereunder shall be vested in the Port Authority upon the entry of the order granting the application to condemn. The Port Authority, however, may direct that the title shall be vested in the Port Authority upon a specified date after the date of the entry of the order granting the application to condemn, or upon the date of the filing of the final judgment, but not later than the date of the filing of the final judgment. Upon the date when title to the real property shall have vested as herein provided, the Port Authority shall become and be seized in fee of or of an easement in, over, above, through, upon or under such real property or such other interest therein as may have been specified, the same to be held, appropriated, converted and used for the purposes for which the proceeding was instituted. The Port Authority or any person acting under its authority shall immediately or at any time thereafter take

possession of such property without suit or other judicial proceedings.

(v) Where the whole of any lot or parcel of real property, under lease or other contract, shall be taken, all the covenants, contracts and engagements between landlord and tenant and other contracting parties touching the same or any part thereof, upon the vesting of title in the Port Authority, shall cease and determine and be absolutely discharged. Where a part only of any lot or parcel of real property so under lease or other contract shall be so taken, all contracts and engagements respecting the same, upon such vesting of title, shall cease and determine and be absolutely discharged as to the part thereof so taken, but shall remain valid and obligatory as to the residue thereof. All tenants in possession of such premises at the time of the vesting of title thereto in the Port Authority shall become tenants at will of the Port Authority unless within ten days after the vesting of title they shall elect to vacate and give up their respective holdings.

Covenants
and contracts
to cease.

4. This act shall take effect upon the enactment into law by the State of New York of legislation having an identical effect with sections one and two of this act, but if the State of New York shall have already enacted such legislation, then this act shall take effect immediately.

Note:
Act effective.

Approved June 20, 1947.

CHAPTER 331

AN ACT providing for tenure in office, position or employment of certain persons holding the offices, positions or employments of treasurer and custodian of school moneys in townships.

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

C. 40:145-14.1.
Petition and
referendum.

1. When any person holding the offices, positions or employments of treasurer and custodian of school moneys in any township, has held, or shall continue to hold, and when any person shall have held said offices, positions or employments for twenty years from the date of his original appointment, the voters of such township shall have the right in any year thereafter, so long as such treasurer and custodian of school moneys shall continue to hold such office or position, to present to the clerk of such township a petition requesting that the question of whether such treasurer and custodian of school moneys shall thereafter continue to hold such office during good behavior and not be removed therefrom except for good cause shown after a fair and impartial trial, be placed upon the ballot at the next succeeding general election in order that the voters of such township shall be permitted to determine such question by a majority of the ballots cast at such general election.

C. 40:145-14.2.
Number of
signers
required.

2. Such petition may be presented by any person or persons in such township and shall be signed by at least five per centum (5%) of the voters who cast ballots at the last prior general election.

C. 40:145-14.3.
Public notice
of question
to be
submitted.

3. When any such petition is presented to the township clerk not less than sixty days prior to the date for the general election in any year the clerk shall, within fifteen days thereafter, give

public notice that the question will be submitted to the voters at the general election for such year, and shall make public notice thereof by publication in one or more newspapers published in the township if there be one published in the township, if not, then in one or more newspapers published in the county wherein the township is located, to be designated by the clerk, once a week for not less than four publications, and by posting notice in not less than five of the most public places in the township for not less than four weeks before the general election. The clerk shall also follow the procedure necessary to have the question submitted by the proper printing of the question upon the ballots to be used at such general election.

4. Nothing contained in this act shall be taken or construed to affect or repeal any of the provisions of subtitles three and four of Title 11, Civil Service, of the Revised Statutes of this State.

C. 40:145-14.4.
Construing.

5. This act shall take effect immediately.

Approved June 18, 1947.

CHAPTER 332

AN ACT concerning secretaries of boards of public safety in cities, and supplementing chapter seventy of Title 40 of the Revised Statutes.

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

1. Whenever, by ordinance duly adopted, a board of public safety has been created within the department of public safety in any city, the director of such department of public safety may appoint some suitable person as secretary to such board from the competitive class of civil service, but any

C. 40:171-109.1.
Secretaries,
public safety
boards.

person who shall have been appointed as such secretary and shall have been performing the duties of such position, for a period of five years next preceding January first, one thousand nine hundred and forty-seven, shall be classified in the competitive class of civil service in such position without examination.

2. This act shall take effect immediately.

Approved June 23, 1947.

CHAPTER 333

AN Act providing for the foreclosure by any municipality of rights of redemption of real property from tax sales and tax lien sales, 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. 54:5-104.2.
Terms defined:

1. Definitions. The following words and phrases as used in this act, unless a different meaning is required by the context, shall have the following meaning:

County
recording
officer;

(1) "County recording officer" shall mean the clerk or register of deeds and mortgages, as the case may be, of the county in which the real property affected by a proceeding under this act is located.

Municipality;

(2) "Municipality" shall mean every taxing district having the machinery for the assessment and collection of taxes.

Tax collector;

(3) "Tax collector" or "collector" shall mean the officer of the municipality charged by law with the duty of collecting general property taxes and the enforcement of tax liens.

(4) "Certificate holder" shall mean any municipality holding a certificate of tax sale or of a tax lien title. Certificate holder;

(5) "Tax liens" shall mean all liens for general property taxes, for assessment and for improvements and for all other municipal charges which are liens on real property, together with accrued interest, penalties and costs of collection thereon, heretofore existing or hereafter arising pursuant to any law. Tax liens;

(6) "Tax lien title" shall mean the defeasible title derived from a sale according to law to satisfy any tax lien. Tax lien title;

(7) "Person or persons" shall mean an individual, a corporation, an association, a municipal corporation, a body corporate and politic, a governing body of a municipality or a governmental agency and the singular may include the plural. Person;

(8) "Real property" shall mean real estate and shall include lands, tenements and hereditaments, and all rights thereto and interests therein. Real property.

2. This act shall be known as the In Rem Tax Foreclosure Act. C. 54:5-104.3.
Short title.

3. This act shall be liberally construed as remedial legislation to encourage the barring of rights of redemption from tax sales and tax lien sales and obtaining marketable title after such sales and as an alternate and additional remedy to any other remedy provided by law and shall apply to certificates of tax sales or tax lien sales heretofore or hereafter issued and held by a municipality. C. 54:5-104.4.
Construed as remedial legislation.

4. Any such certificate holder may proceed, pursuant to the provisions of this act, summarily to bar rights of redemption from the tax sale or tax lien sale for which the certificate holder's certificate or certificates was or were issued. A summary proceeding, pursuant to the provisions of this act, may be instituted at any time after two years from the date of such tax sale or tax lien sale. C. 54:5-104.5.
Summary proceeding to bar redemption rights.

5. Any such certificate holder who proceeds, pursuant to the provisions of this act, to bar such C. 54:5-104.6.
Tax foreclosure list.

Description of
tax lien title.

rights of redemption shall prepare a list, herein referred to as a tax foreclosure list, of the tax lien titles to be foreclosed, which shall include only tax lien titles affecting real property located in a single municipality. The tax foreclosure list shall designate each tax lien title by a schedule number in numerical sequence and they shall be described therein, respectively, as follows:

(1) Schedule number.

(2) Description of the real property as it appears on the tax duplicate and in the certificate of tax sale or tax lien sale evidencing the tax lien title.

(3) Serial number, or if no serial number, by other identification of the certificate of tax sale or tax lien sale.

(4) Date of the tax sale or tax lien sale.

(5) Book and page of the record of the certificate if the certificate has been recorded in the office of the county recording officer.

(6) The amount of the sale as set forth in the certificate.

(7) The amount of all tax liens accruing subsequent to the tax sale or tax lien sale, including interest, penalties and costs, as certified by the local tax collector.

(8) The amount required to redeem, as provided by law, as certified by the local tax collector.

(9) The name of the last known owner of the real property to be affected by the foreclosure proceeding, as it appears on the current tax duplicate of the municipality or the word "unknown" if such be the fact.

C. 54:5-104.7.
Court of
jurisdiction.

6. The Court of Chancery shall have jurisdiction of proceedings instituted and prosecuted, pursuant to this act, and the procedure shall be, except as in this act otherwise provided, according to the practice of that court as required by statute and rules of the court. Any proceeding instituted under the provisions of this act shall be commenced by the filing of a verified petition in the office of the Clerk of the Court of Chancery.

7. The petition shall set forth the said tax foreclosure list and shall pray for relief pursuant to this act. The petition shall also include a description by metes and bounds as nearly as possible of the real property to be affected, or a description of such property by reference to a map on file in the office of the county recording officer.

C. 54:5-104.8.
Petition,
contents.

8. The petitioner shall file a copy of the petition in the office of the municipal tax collector and in the office of the county recording officer. The copy of the petition filed in the office of the county recording officer shall have the force and effect of a separate lis pendens in respect to each separate parcel of real property set forth and described therein. The county recording officer of each county shall keep separate index blocks for the several municipalities of the county wherein the lands to be affected by any such copy of petition are located, and upon filing of any such copy of list the said recording officer shall forthwith index the same in the appropriate book so kept. Every name of an owner set forth in the copy of the petition so filed shall be indexed in said book according to each such name. No other recording or indexing shall be required. The county recording officer for filing and indexing such copies of petitions shall be entitled to a fee in the sum of one dollar (\$1.00) for each and every separate parcel of real property set forth in the copy of the petition but in no case more than ten dollars (\$10.00) for any one copy of petition and shall not be entitled to any other fee for such service.

C. 54:5-104.9.
Filing petition.

Record kept.

Filing fees.

9. The petitioner may include any number of separate parcels of real property not exceeding ten in one petition irrespective of diversity of ownership of the several parcels. The owner, or owners and persons interested in each parcel shall be deemed to be respondents in the proceeding. Each separate parcel of real property shall be deemed to be the subject matter of a separate cause of action and such separate causes of action may be

C. 54:5-104.10.
Limits number
in each
petition.

Respondents.

- Causes joined. joined in one petition irrespective of diversity of ownership or interests of the respondents.
- State joined as respondent. The petitioner may also join as a respondent the State of New Jersey or any agency of the State or of any political subdivision, having an interest in or lien upon the real property to be affected.
- C. 54:5-104.11. No personal decree entered. 10. In any proceeding under this act, no personal decree shall be entered against any person for taxes, assessments, other municipal charges, interest, penalties, or costs of collection, or any part thereof, or for any costs allowable under this act.
- C. 54:5-104.12. Publication, notice of foreclosure. 11. The court shall, upon application of the petitioner, make an order designating one newspaper, circulated in the county wherein the lands to be affected are located for the publication of a notice of foreclosure in the form hereinafter required. Upon such designation being made, the petitioner shall thereupon cause such notice to be published once in the designated newspaper. No final decree shall be entered in the proceeding without the filing in the Court of Chancery of proof, by affidavit, of such publication.
- C. 54:5-104.13. Form of notice. 12. The said notice, so to be published, shall include a copy of the tax foreclosure list and such other matters as appear in the form below and in addition to such publication the notice shall be posted and mailed as hereinafter directed. The notice shall be substantially in the following form:

Notice of foreclosure of Tax Lien Titles
upon real property located in
(Insert name of municipality)

To:
(Insert names of persons who are
entitled to have mailed to them a
copy of the notice)

and to all persons, corporations or associations having, or claiming to have, an interest in the real property described below whose interest is not of public record in the county or municipality wherein said real property is located and who have not filed with the tax

collector of said municipality a request for notice of foreclosure of certificate of tax sales or tax lien titles.

Take Notice:

All persons having or claiming to have an interest in the real property described in the following list are hereby notified that a proceeding has been commenced in the Court of Chancery by the filing of a petition in said court on the day of

(Insert date of filing the petition)

by to

(Insert name of petitioner)

foreclose and forever bar any and all rights of redemption of the described parcels of real property from petitioner's tax lien titles. The said proceeding is brought in respect to real property only and no personal judgment or decree may be entered therein.

Any person desiring to protect a right, title or interest in the described real property or any parcel thereof by redemption or to contest petitioner's right to foreclose must do so by paying the amount required to redeem as set forth below, plus interest to the date of redemption and such costs as the court may allow, prior to the entry of a decree herein, or by filing an answer to the petition setting forth respondent's defense within forty-five days after the date of the publication of this notice.

The following is a copy of the foreclosure list:

.....
(Insert a copy of foreclosure list)

Publication date
(Date of publication)

The notice shall be signed by the solicitor of the petitioner.

13. After the expiration of a period of forty-five days from the date of the publication of the said

C. 54:5-104.14.
Entry of
decree barring
redemption.

notice, the court may enter a final decree forever barring the rights of redemption of any and all persons who have neither redeemed nor answered.

C. 54:5-104.15.
Request for
notice of filing,
contents.

14. Any person having or claiming to have a right, title or interest in, or to, or lien upon, any real property may file with the tax collector of the taxing district wherein such real property is located, a request for notice of the filing of any petition filed under this act. Such request shall state the name, residence and post-office address, and a description of the parcel of real property in which such person is interested, according to the lot and block number, as shown in the current tax duplicate of the taxing district. Any petitioner under this act shall, within fifteen days after the date of the publication of the said notice, mail, or cause to be mailed a copy of the notice, required to be mailed to respondents, to any person who shall have filed any such request applicable to a parcel of real property to be affected by the petition, and no final decree shall be entered as to any parcel of real property without the filing in the Court of Chancery of proof of such mailing to all persons who shall have filed requests, as provided in this section, and which are applicable to the parcel of real property to be affected by the decree.

Proof of
mailing.

C. 54:5-104.16.
Posting notice.

15. The petitioner shall, within fifteen days after the date of the publication of the said notice, cause a copy of such notice to be posted in the office of the tax collector of the petitioning municipality, and in the county clerk's office of the county in which the property to be affected by the proceeding is situated and in three other conspicuous places within the taxing district in which the property is located. The petitioner shall also cause a copy of such notice to be mailed to the last known address of each last known owner of property affected thereby as the same appears upon the county records and the municipal tax record, and such mailing need not be by registered mail. The petitioner shall file an affidavit of such posting and

Affidavit of
posting filed.

mailing with the Clerk in Chancery, but the failure of any person to receive such notice by mail shall not affect the validity of any proceedings brought pursuant to this act. Any person whose record ownership of the property to be affected is not disclosed by a search of the county records covering the period of sixty years last past before the filing of the petition shall be deemed to be a respondent in the proceeding, but the petitioner shall not be required to mail a notice to any such person or to search the county records prior to the last record of ownership.

Deemed a
respondent.

16. The notice to a corporate respondent not having a registered agent may be mailed in care of any officer of such corporation or to the Secretary of State. The notice to any respondent under the age of twenty-one years shall be mailed to the respondent and also to the parent, guardian or other representative as shown by any record on file in the county wherein the real property to be affected is located, of the respondent.

C. 54:5-104.17.
Notice to
corporate
respondent.

The notice to a mental incompetent shall be mailed to the incompetent and also to the guardian, or other representative as shown by any record on file in the county wherein the real property to be affected is located, of the incompetent or person standing in loco parentis to the incompetent, and an executive official of an institution in which the incompetent is an inmate shall be deemed to be a person in loco parentis to an incompetent inmate.

Notice to
mental
incompetent.

The notice to the State of New Jersey shall be mailed to the Attorney-General and there shall be appended to the notice a copy of the petition and a statement as to which parcels of real property are, or may be subject to the State's interest or lien and the nature of such interest or lien.

Notice to State
of N. J.

17. Any person, corporation or association having, or claiming to have, a right, title or interest in, or to, or lien upon, any real property to be affected by a proceeding under this act which arises or occurs under any deed, mortgage, or

C. 54:5-104.18.
Application
to intervene.

other instrument, judgment, decree, will, intestate succession, devolution of title, operation of law, or in any other manner, subsequent to the filing of a petition in the Court of Chancery, under the provisions of this act, may upon his, or its, application to the Court of Chancery intervene in the proceeding and become a respondent therein, but it shall be unnecessary for the petitioner to make any such person, corporation or association a party respondent to the proceeding, and any such person, corporation or association having any such interest does not so intervene and become a party to the proceeding shall be barred and forever foreclosed of all such right, title, interest, claim, lien or right of redemption by the decree, or decrees, in the proceeding.

Heirs and devisees bound.

In the event that any respondent in the proceeding shall die after the mailing to such respondent of the notice of the proceeding, as provided in this act, the proceeding shall not abate and his personal representatives, heirs and devisees shall be bound by the proceeding and the petitioner shall not be required to make them, or any of them, respondents in the proceeding, but they shall have the right to apply to the court for leave to intervene in the proceeding as respondents in the same manner and to the same effect as in the case of persons whose right or interest accrues subsequent to the filing of the petition in the Court of Chancery.

C. 54:5-104.19.
Costs of proceedings.

18. The court shall, upon application and notice, at any time after the petition is filed, fix the costs of the proceedings, which shall include reasonable search fees, disbursements incurred by the petitioner, and by its solicitor, and a counsel fee commensurate with the services rendered, in addition to the other fees and expenses provided for in chapter five of Title 54 of the Revised Statutes, and other statutes and rules of the court regulating the practice and procedure in the court, which costs and fees shall be added to the amount required to redeem the several parcels of real prop-

erty subject to redemption in the proceeding and equitably allocated or apportioned.

19. Redemption shall be made at the office of the tax collector. C. 54:5-104.20. Redemption.

Redemption may be made at any time after the filing of the petition, and before final decree, and when so made shall be deemed to be made in the cause. The petitioner or its solicitor shall promptly file a statement with the Clerk in Chancery setting forth that redemption has been made in respect to any parcel of real property described in the petition which is redeemed. The petitioner or its solicitor shall also file a similar statement with the county recording officer which shall operate to discharge the notice effective as a lis pendens, pursuant to section eight of this act. Any person making redemption shall be entitled to receive from the tax collector a certificate of redemption and a duplicate thereof and may file such duplicate with the county recording officer in lieu of and with the same effect as a statement of redemption signed by the petitioner or its solicitor, as provided in this section.

20. Any person having or claiming to have an interest in any parcel of real property described in the petition may file an answer within the time hereinabove set forth, setting forth in detail the nature of the respondent's interest and the grounds of his defense. C. 54:5-104.21. Filing answer.

21. No omission of any of the procedures or actions required by law in relation to levy and assessment shall be a defense or objection to the foreclosure of any tax lien title included in the petition unless it be also made to appear to the court that such omission has been prejudicial to the answering respondent. C. 54:5-104.22. Omissions in procedure.

22. In any proceeding brought under the provisions of this act, if a respondent shall answer and set up as a defense thereto the invalidity of the tax or other municipal lien or the invalidity of the proceedings to sell, or the invalidity of the sale, such an answer shall operate as a stay of the proceed- C. 54:5-104.23. Invalidity as answer in defense not to stay proceedings.

ings in the Court of Chancery for four months from the date of the filing of such answer, to enable such respondent to apply for a writ of certiorari to review the legality of the tax lien, the proceedings to sell or the sale, and if such a writ shall issue, the proceedings shall be stayed until the final determination of the writ shall have been made. If the respondent fails to obtain a writ of certiorari for said purposes within four months after the filing of the answer, the court shall strike out such part of the answer as denies the validity of the tax lien or legality of proceedings to sell or the sale, and shall proceed as if no such defense had been interposed. No writ of certiorari shall be allowed in any case under this act unless an answer has been filed within the time limited or in any event after the expiration of four months from the filing of an answer denying the validity of the tax lien for which the lands were sold and certificate issued, or denying the legality of the proceedings to sell the lands or denying the legality of sale if such answer be filed.

C. 54:5-104.24.
Manner of
hearing
petition.

23. Upon the filing of an answer, the court shall hear and determine the issues raised by the petition and answer in the same manner and under the same rules as it hears and determines other issues, except as in this act otherwise provided. Upon the filing of an answer petitioner or respondent shall have an absolute right to the severance of the proceedings as to any parcel or parcels of real property in relation to which said answer has been filed, upon written demand therefor. The petitioner shall have an absolute right to discontinue as to any parcel or parcels of real property to be affected by the proceeding. Upon any such severance, the further proceedings in respect to the parcel or parcels of real property involved shall be deemed to be the subject matter of a separate and distinct proceeding, and the petitioner shall be liable for and shall pay to the Clerk of Chancery the fees and costs, as in the case of the commencement and prosecution of a new, separate and distinct proceeding.

24. The court shall determine and find upon such proof by affidavit, testimony of other evidence whether there has been due compliance by the petitioner with the provisions of this act. If an answer is filed, the party shall be entitled to a trial and hearing as fully as in suits in equity in the Court of Chancery. If no answer has been filed, such proof may be made by the verified petition and the affidavits required under this act, together with an affidavit of nonredemption. If any respondent is a person under the age of twenty-one years or mentally incompetent and no appearance is made or answer filed on behalf of such person, the petitioner shall apply to the Chancellor to have a special guardian appointed for such person and no final decree shall be entered affecting the rights of such person until after a special guardian appointed by the Chancellor shall have filed a report setting forth the facts respecting the interest of such person and any other pertinent facts, and the Chancellor shall have determined upon such report what, if any, other or further action shall be taken on behalf of such person, or that such other or further action be dispensed with. Any such special guardian shall be compensated for his services by the petitioner and the Chancellor shall fix the amount of such compensation. The appointment of a special guardian shall in no wise preclude an appearance and answer by a general or other guardian of such person, or redemption for or on behalf of such person by any one authorized to act for or represent such person. Upon satisfactory proof of such compliance the court shall make a final decree granting the relief provided by this act. Such decree shall contain a description of the affected real property by metes and bounds as described in the petition or by reference to a map filed in the office of the county recording officer, including a recital of the name or names of the grantee or grantees appearing in the petition, together with such other explanatory description of the tax duplicate designations of the respective

C. 54:5-104.25.
Determining
due compliance
by petitioner.

Petitioner
seized in
fee simple.

parcels affected, as the petitioner may desire to insert. Upon the entry of such decree and the recording of a certified copy thereof in the office of the county recording officer, the petitioner shall be seized of an estate in fee simple, absolute, in such real property and all other persons, including the State of New Jersey, and political subdivisions thereof, infants and incompetents, absentees and nonresidents of the State of New Jersey, and unknown owners, who may have had any right, title, interest, claim, lien or right of redemption in or upon such lands.

C. 54:5-104.26.
Relief granted.

25. The Court of Chancery, upon filing of the petition, may give full and complete relief in accordance with the provisions of this act and in accordance with any other statutory authority and with the practice of the court, to bar the right of redemption and to foreclose all prior or subsequent alienations and descents of the lands and encumbrances thereon, and to decree an absolute and indefeasible estate of inheritance in fee simple to be vested in the petitioner. The decree shall be final upon the respondents, their heirs, devisees and personal representatives and their or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title or interest, and no application shall be entertained to reopen the decree after three months from the date thereof, and then only upon the grounds of lack of jurisdiction or fraud in conduct of the suit.

Decree final.

C. 54:5-104.27.
Clauses,
sections
severable.

26. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but such adjudication shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly invalidated in and by such judgment.

C. 54:5-104.28.
Act operative.

27. This act shall take effect immediately but no proceeding hereunder shall be instituted until sixty days after the effective date of this act.

Approved June 23, 1947.

CHAPTER 334

AN ACT concerning the destruction of foxes, and amending section 23:4-60 of the Revised Statutes.

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

1. Section 23:4-60 of the Revised Statutes is amended to read as follows: Section amended.

23:4-60. Upon the destruction of the ears, the justice shall give to the person producing the animal or pelt a certificate of compliance with sections 23:4-59 to 23:4-62 of this Title, directed to the board of chosen freeholders of the county in which the animal was slain, stating the kind of animal and when, where and by whom killed, the date, by whom and in the presence of what qualified voter the ears of the animal were destroyed; and the residences of the person killing the animal, and of the voter. If the animal slain was a fox and if the person killing the fox so requests, the justice shall give to such person, a like certificate, directed to the township committee of the township in which the fox was slain. Certificate of compliance.

The board of chosen freeholders may, upon the production and surrender of the certificate directed to them, pay out of the county funds to the person killing a fox the sum of not less than three dollars (\$3.00) and not more than ten dollars (\$10.00) for each fox, or in the case of a woodchuck, such sum as such board fixes, but not exceeding fifty cents (\$0.50) for each woodchuck. The township committee may, upon the production and surrender of the certificate directed to them, pay out of the township funds to the person killing a fox the sum of not less than two dollars (\$2.00) and not more than five dollars (\$5.00) for each fox. No bounty for killing a fox or woodchuck shall Bounty.

Justice's fee.

be paid, however, to any employee of the Division of Fish and Game in the Department of Conservation. The justice taking the affidavit shall thereupon file or cause the same to be filed forthwith in the office of the county treasurer, whereupon the justice shall receive from the county funds the sum of fifty cents (\$0.50) in case a fox be the animal killed or twenty-five cents (\$0.25) in case a woodchuck be the animal killed, in full for all his services under said sections 23:4-59 to 23:4-62.

2. This act shall take effect immediately.

Approved June 24, 1947.

CHAPTER 335

AN ACT concerning municipalities in relation to monuments and memorials, and supplementing chapter ten of Title 40 of the Revised Statutes.

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

C. 40:48-2.16.
Authorized
to erect
memorial.

1. The governing body of any municipality may, by ordinance, provide for the construction and erection of a monument or memorial of a permanent character commemorative of the services of soldiers and sailors of the United States in World War II, or to provide for a contribution to part of the cost of any similar monument or memorial, provided that any such ordinance shall set forth the price in respect to the monument or memorial, including the type of the monument or memorial and the amount of money proposed to be expended or contributed; *and provided further*, that the expenditure for any such cost or contribution shall not be in excess of one dollar (\$1.00) per inhabitant of the municipality, as shown by the latest Federal census.

Proviso,
limits cost.

2. In the event that any such ordinance provides for a contribution in accordance with the provisions of this act, no money shall be expended by the municipality except upon the presentation of a duly sworn claim approved by resolution of the governing body of the municipality.

C. 40:48-2.17.
Expenditures.

3. This act shall take effect immediately.

Approved June 24, 1947.

CHAPTER 336

AN ACT concerning medical care and hospitalization of the poor, and amending section 44:5-16 of the Revised Statutes.

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

1. Section 44:5-16 of the Revised Statutes is amended to read as follows:

Section
amended.

44:5-16. Annual appropriations by certain counties for maintenance of charitable hospitals. Any county, other than a county of the first class, may make annual appropriations not exceeding in the aggregate one-twelfth of one per centum ($1/12$ of 1%) of the total assessed valuations of real and personal property of the county, or a sum of money not in excess of the amount which might be raised at that rate, in the manner in which other appropriations for county purposes are made, for the maintenance of a charitable hospital or hospitals located in the county, the facilities of which are used by the poor or indigent residents of the county, to an amount not exceeding the estimated annual deficit in operating expenses of the hospital, which sum, so appropriated, shall be included in the annual tax levy of the county and collected in the same manner and at the same time as other county taxes.

Appropriation
for charitable
hospitals.

Payment
and use of
appropriation.

The amount so appropriated when paid over to a charitable hospital shall be used towards the current maintenance and expense of operation thereof. The appropriation may be made for a specifically named hospital or it may be made generally, and in such case, the board of freeholders may, by resolution, apportion the amount so appropriated to any such hospital in the manner which in their judgment may be deemed for the best interest of the county, but in no case shall a hospital receive more than the amount of its actual deficit in operating expenses.

Access to
records and
books.

The officials and auditors of the county shall have access at all reasonable times to the books and records of a hospital which shall receive the appropriation or part thereof, for the purpose of ascertaining the deficit in operating expenses and the application of the moneys so appropriated or apportioned and the financial needs or requirements of the hospital.

2. This act shall take effect immediately.

Approved June 24, 1947.

CHAPTER 337

AN ACT concerning certain bonds secured by mortgages in relation to the penalties of such bonds.

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

C. 2:65-7.4.
Penal sum
in amount
of debt.

1. Whenever a bond shall be given for a debt secured by a mortgage for the same debt, the penal sum of the bond may be expressed in the sum of the debt instead of in a sum double the amount of the debt, and in any action upon such bond, recovery may be had for the true amount due including the debt, interest, charges, advances, costs, and any other obligation, secured and evidenced by the terms and conditions of the bond and mortgage in the same manner and to the same effect as though

the penal sum expressed in the bond was double the amount of the debt.

Approved June 24, 1947.

CHAPTER 338

AN ACT relating to the entry of discharge of recognizances of record, and amending section 2:187-17 of the Revised Statutes.

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

1. Section 2:187-17 of the Revised Statutes is amended to read as follows: Section amended.

2:187-17. When any recognizance shall be discharged by order of the court or by reason of the judgment in any cause, the clerk of the court in which such recognizance shall be shall enter in the book provided for by section 2:187-11 of this Title, at the end of the record of such recognizance, the word "discharged," together with the date of the discharge, and, upon satisfactory proof before any court where any recognizance shall be taken that the conditions thereof have been fully complied with, the court shall order the clerk to enter the recognizance "discharged" in the book kept for that purpose. This section shall also apply to the record of the certified copy of any recognizance recorded in another county as provided by section 2:187-13 of the Revised Statutes, upon order of the court where such recognizance shall be or shall have been taken, or upon filing with the clerk of the county where the certified copy of the recognizance is recorded of a copy of the order discharging said recognizance, certified by the clerk of the court making such order. Entering discharge of recognizance.

2. This act shall take effect immediately. Section not to apply.

Approved June 24, 1947.

CHAPTER 339

AN ACT concerning the State Employees' Retirement System of New Jersey, and amending section 43:15-2 of the Revised Statutes.

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

Section
amended.

1. Section 43:15-2 of the Revised Statutes is amended to read as follows:

Act operative.

Membership
optional.

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 July first, one thousand nine hundred and forty-eight, shall file an application covering service rendered to the county or municipality prior to the date of this chapter so becomes effective shall be entitled to prior service certificate covering such service. Membership shall be compulsory for all employees entering the service of the county or municipality after the date this chapter so becomes effective.

2. This act shall take effect immediately.

Approved June 24, 1947.

CHAPTER 340

AN ACT requiring the licensing, inspection and regulation of private nursing homes and private hospitals, creating a hospital licensing board, providing for regulations, enforcement procedures, penalties for the violation thereof, and amending sections 30:11-1, 30:11-3 and 30:11-4 of the Revised Statutes, repealing section 30:11-5 of the Revised Statutes, and supplementing chapter eleven of Title 30 of the Revised Statutes.

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

1. Section 30:11-1 of the Revised Statutes is amended to read as follows: Section amended.

30:11-1. It is declared to be the public policy of this State to provide for the development, establishment and enforcement of basic standards for the care and treatment of individuals in private nursing homes and private hospitals and for the construction, maintenance and operation of such hospitals in such a manner as to insure safe and adequate treatment of all such individuals in said private nursing homes and private hospitals. No private nursing home or private hospital for the care, treatment, or nursing of persons ill with disease, or who are crippled, infirm or in any way afflicted, shall operate within this State except upon license first had and obtained for that purpose from the department, upon application made therefor as hereinafter provided. No such license shall be granted by the department, unless the commissioner shall be satisfied that the institution in question is adequately prepared to furnish the care and service to be provided by it. Nothing herein contained shall be so construed as to interfere with the Basic standards.
License required.
Construing.

powers of the State Board of Medical Examiners to license medical practitioners in New Jersey.

Application,
contents.

Application for the license required by this section shall be made upon forms furnished by the department, shall set forth the location of the home or hospital, the person in charge thereof, and the facilities for caring for persons who may seek treatment therein. The applicant shall be required to furnish evidence of its ability to comply with minimum standards of nursing and hospital care, financial ability to successfully operate the institution for which the license is sought, and of the good moral character of the person in charge thereof.

Applicant's
ability.

Investigation.

Upon receipt of an application for license and the license fee, the Department of Institutions and Agencies shall cause an investigation to be made of the applicant and the hospital facilities and shall issue a license if it is found that said applicant and facilities comply with the provisions of this act, the regulations of the department and the minimum standards established for the operation of a private nursing home or private hospital. The license shall not be transferable or assignable except with the written approval of the department and shall be posted in a conspicuous place on the licensed premises as prescribed by the regulations of the department. The State Board of Control of the Department of Institutions and Agencies, with the advice of the hospital licensing board, shall adopt, amend, promulgate and enforce such rules, regulations and minimum standards of nursing and hospital care with respect to the different types of hospitals and nursing homes to be licensed hereunder as may be reasonably necessary to accomplish the purposes of this chapter. Such rules, regulations and minimum standards when adopted shall be binding upon all licensees and applicants for license under this chapter.

Rules and
regulations.

Six months to
comply with
standards.

Any private hospital or private nursing home which is in operation at the time of promulgation of any applicable rules or regulations or minimum standards under this act shall be given a reason-

able time, not to exceed six months from the date of such promulgation, within which to comply with such rules and regulations and minimum standards, or subsequent amendments or supplements thereto.

2. A private nursing home or private hospital, for the purposes of this chapter, is defined as any institution, whether operated for profit or not, which is not maintained, supervised or controlled by an agency of the Government of the State or of any county or municipality, and which maintains and operates facilities for the diagnosis, treatment or care of two or more nonrelated individuals suffering from illness, injury or deformity, or where obstetrical, convalescent or other medical or nursing care is rendered.

C. 30:11-8.
Terms defined.

The word "hospital" as used herein, shall not be deemed to include first aid stations for emergency medical or surgical treatment where no continuous bed care or protracted treatment is contemplated or performed.

Any private nursing home or private hospital, as well as institutions operated and maintained by any agency of the government of any county or municipality which shall apply for and receive Federal funds under the provisions of Public Law 725 of the 79th Congress, Chapter 958, 2d Session, shall be required to comply, as a condition precedent to receiving such funds, with the rules and regulations and the minimum standards of nursing and hospital care provided for in section 30:11-1 of the Revised Statutes.

To comply with rules and minimum standards.

3. Section 30:11-3 of the Revised Statutes is amended to read as follows:

Section amended.

30:11-3. The State Board of Control, after hearing, may deny, revoke or suspend any and all licenses granted under authority of this chapter to any person, firm, corporation or association violating the provisions of this chapter, or the rules and regulations promulgated hereunder.

May revoke or suspend license.

Prior to the revocation, suspension or denial of any license hereunder, the department, if requested, shall afford the licensee an opportunity

Hearing.

Procedure.	for a prompt and fair hearing before the department on the question of the issuance, suspension or revocation of the license. The procedure governing such hearings shall be in accordance with the rules and regulations of the department adopted by and with the consent of the hospital licensing board. Either party may subpoena witnesses and compel their attendance on forms furnished by the department.
Notice.	Notice of revocation, suspension or denial of a license shall be sent to the applicant or licensee by registered mail and the notice shall set forth the particular reasons for the denial, suspension or revocation of the license. Such denial, suspension or revocation shall become effective thirty days after mailing, unless the applicant or licensee, within such thirty-day period shall meet the requirements of the department or shall give written notice to the department of its desire for a hearing, in which case the denial, suspension or revocation shall be held in abeyance until the hearing has been concluded and a final decision rendered.
Decisions.	The Commissioner of the Department of Institutions and Agencies is hereby empowered to arrange for prompt and fair hearings on all such cases and to render written decisions stating conclusions and reasons therefor upon each matter so heard, and to enter orders of denial, suspension or revocation consistent with the circumstances in each case.
Section amended.	4. Section 30:11-4 of the Revised Statutes is amended to read as follows:
Penalty.	30:11-4. Any person, firm, corporation or association who shall operate or conduct a private nursing home or private hospital without first obtaining the license required by this chapter, or who shall operate such private nursing home or private hospital after revocation or suspension of license shall be liable to a penalty of five hundred dollars.
Recovery of penalty.	The penalty authorized by this section shall be recovered in an action at law, brought in the name of the State of New Jersey in the court of common

pleas of any county, which court shall have jurisdiction of all actions to recover such penalty. Money penalties, when recovered, shall be payable to the Department of Institutions and Agencies for its use in connection with the administration of this chapter.

The department may, in the manner provided by law, maintain an action in the name of the State of New Jersey for injunction against any person, firm, association or corporation continuing to conduct, manage or operate a private nursing home or private hospital without a license, or after suspension or revocation of license.

Injunction.

The practice and procedure in actions instituted under authority of this section shall conform to the practice and procedure in the court in which the action is instituted.

Practice and procedure.

5. Section 30:11-5 of the Revised Statutes is repealed.

Section repealed.

6. The department shall make or cause to be made such inspections of the premises of the licensee from time to time as it may deem necessary to be assured that the licensee is at all times complying with the provisions of this chapter, with the rules and regulations promulgated hereunder and with the minimum standards of nursing and hospital care established by virtue of the authority of this chapter. The licensee, prior to making any alterations, additions or improvements to its facilities or prior to the construction of new facilities shall, before commencing such work, submit plans and specifications to the department for preliminary inspection and approval or recommendations with respect thereto.

C. 30:11-3.1.
Inspections.

Plans submitted for approval.

7. The State Board of Control, subject to the approval of the Governor, shall appoint a hospital licensing board which shall consist of the Commissioner of the Department of Institutions and Agencies, the State Director of Health, the president of the State Board of Medical Examiners, two hospital administrators of recognized ability and two qualified persons who shall represent the in-

C. 30:11-6.
Hospital licensing board.

terests of the public at large. The board shall be representative of the aforementioned groups and the four members at large shall be appointed for terms of one, two, three and four years respectively, and upon completion of their appointed term their successor shall be appointed for a period of four years, except when appointed to complete an unexpired term. Members whose terms expire shall hold office until appointment of their successors. They shall serve without compensation but shall be reimbursed for actual expenses incurred in the performance of their official duty.

C. 30:11-7.
Powers:

8. The hospital licensing board shall have the following responsibilities and duties:

Policy, rules
and standards.

a. To consult and advise with the State Board of Control of the Department of Institutions and Agencies in matters of policy affecting the administration of this chapter and in the development of rules, regulations and minimum standards of nursing and hospital care as provided for herein.

Review recom-
mendations.

b. To review and make recommendations with respect to such rules, regulations and minimum standards authorized hereunder prior to their promulgation by the State Board of Control.

Meetings.

The board shall meet not less than once each year and, in addition, as often as shall be required to conduct the business of the board and to assist and advise in the administration of the duties and responsibilities imposed by this chapter.

C. 30:11-9.
Construction.

9. Nothing in this act or in chapter eleven of Title 30 of the Revised Statutes shall give the licensing authority or agency herein provided for the power or authority to require any hospital to practice or permit sterilization of human beings, euthanasia, birth control or any other similar practice contrary to the dogmatic or moral beliefs of any well established religious body or denomination, nor shall any of the provisions thereof vest authority or be construed to vest authority in the Department of Institutions and Agencies or in the licensing authority or agency herein provided for to deny any application for license or approval as

may be required by this act or said chapter on the sole ground that adequate hospital or nursing home facilities are already available in the vicinity or area for which the license or approval is sought.

Nothing in this act or in chapter eleven of Title 30 of the Revised Statutes shall be so construed as to give authority to supervise or regulate or control the remedial care or treatment of individual patients who are adherents of any well recognized church or religious denomination which subscribes to the act of healing by prayer and the principles of which are opposed to medical treatment and who are resident in any home or institution operated by a member or members, or by an association or corporation composed of members of such well recognized church or religious denomination; *provided*, that such home or institution admits only adherents of such church or denomination and is so designated; nor shall the existence of any of the above conditions alone militate against the licensing of such a home or institution; *and provided further*, that such home or institution shall comply with all rules and regulations relating to sanitation and safety of the premises and be subject to inspection therefor.

Nothing herein contained shall modify or repeal any laws, rules, and regulations governing the control of communicable diseases.

10. This act shall take effect immediately.

Approved June 24, 1947.

CHAPTER 341

AN ACT concerning municipal budgets, and supplementing chapter two of Title 40 of the Revised Statutes.

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

C. 40:2-17.2.
May anticipate
certain
miscellaneous
revenue.

1. Any municipality may, with the consent of the Director of the Division of Local Government in the State Department of Taxation and Finance, in its budget in any year,

(a) anticipate in its miscellaneous revenue such amount of any capital surplus or reserve for depreciation and replacements, set up and maintain, on account of the operation by it of a municipal public utility, as shall be arrived at by the application of the formula hereinafter set forth, and

Used to
refund.

(b) appropriate the same for the purpose of paying off and retiring bonds of a general refunding bond issue, under which its debt has been funded, falling due in said year to the extent of the amount of such maturity as is chargeable, as debt, to such municipal public utility under a formula to be arrived at as follows: by determining the percentage which the amount of the original debt on account of such municipal public utility, as so funded, bears to the total amount of the refunding bond issue and by applying such percentage to the amount of the maturities of the refunding issue coming due in such year and adding any amount arrived at by applying such formula to the amount of the maturities of said refunding issue which came due in previous years and were paid from funds raised by taxation.

2. This act shall take effect immediately.

Approved June 24, 1947.

CHAPTER 342

AN ACT concerning court criers in certain counties,
and amending section 2:16-28 of the Revised
Statutes.

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

1. Section 2:16-28 of the Revised Statutes is amended to read as follows: Section amended.

2:16-28. In any county having more than four hundred thousand and not more than five hundred thousand inhabitants, the county clerk of such county shall appoint a crier, in and for the court of common pleas, the court of quarter sessions, the court of special sessions, the court of oyer and terminer, the Circuit Court and the circuit of the Supreme Court of such county, who shall attend daily upon the courts for which he is appointed during the several terms thereof. Court criers, appointment.

The salary of a court crier appointed under authority of this section shall be fixed by the board of chosen freeholders at not less than two thousand dollars (\$2,000.00) and not more than three thousand dollars (\$3,000.00) per annum, which shall be in lieu of any per diem compensation, and which shall be paid semimonthly by the county treasurer of such county. Salary.

Every person serving as court crier in and for the Circuit Court and in and for the circuit of the Supreme Court of any county on the effective date of this act shall thereafter serve as court crier in and for such courts and in and for the court of common pleas, the court of quarter sessions, the court of special sessions and the court of oyer and terminer of the county and nothing contained in this act shall authorize the reduction of the annual compensation being paid to any such person on the effective date of this act or affect his tenure of office. Status of incumbents.

2. This act shall take effect immediately.

Approved June 24, 1947.

CHAPTER 343

AN ACT to relocate, fix and establish the boundary line between the borough of Haddonfield and the borough of Haddon Heights, in the county of Camden and State of New Jersey, and to fix and determine the respective rights and liabilities of the said municipalities by reason of such relocation of said boundary line.

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

Boundary line
relocated.

1. The boundary line between the borough of Haddonfield and the borough of Haddon Heights, in the county of Camden and State of New Jersey, be and the same is hereby relocated, fixed and established so that the following described line will constitute such boundary line, viz.:

Description.

All that certain line beginning at a point in the present southwesterly line of the borough of Haddonfield at its intersection with the centre line of Kings Highway West, said point being corner to the borough of Haddon Heights; thence (1) north-eastwardly along the centre line of Kings Highway West 23.08 feet, more or less, to a point in the extended property line between lands of George D. Rothermel and wife on the northeast and lands of Harry N. Lutz and wife on the southwest, said property line being 1100 feet southwest measured along the southeasterly line of Kings Highway West from the southwesterly line of Hinchman avenue; thence (2) southeastwardly at right angles to Kings Highway West, along said property line and the same extended, crossing Loucroft road 693 feet to a point 180 feet southeast from the southeasterly line of Loucroft road; thence (3) north-eastwardly parallel with Loucroft road 88 feet to a point corner to lands of John M. Zimmermann and wife on the northeast and lands of Francis W.

Bunting on the southwest; thence (4) southeastwardly along the line between said lands, at right angles to Station avenue 180 feet to a point in the northwesterly line of Station avenue; thence (5) southeastwardly crossing Station avenue 75 feet, more or less, to a point in the southeasterly line of Station avenue, corner lands of the New Jersey Water Company on the west and lands of William F. Repp on the east; thence (6) southwardly along the line between said lands 356.62 feet to a point corner to Lots Nos. 189 and 190 as shown on Plan of Jefferson Hills, filed; thence (7) eastwardly along the line between said lots at right angles to Mansfield avenue 137.14 feet to a point in the westerly line of Mansfield avenue; thence (8) eastwardly crossing Mansfield avenue 60 feet, more or less, to a point in the easterly line of Mansfield avenue, corner to Lots Nos. 162 and 163 said plan, said point being 425 feet north from the intersection of the easterly line of Mansfield avenue with the northerly line of Jefferson road or Bradshaw avenue as changed by the borough of Haddonfield; thence (9) eastwardly at right angles to Mansfield avenue 135 feet to a point; thence (10) southwardly along a line midway between Mansfield and Gladstone avenues and parallel with said avenues 300 feet to a point; thence (11) eastwardly parallel with Bradshaw avenue (formerly Jefferson road) and at right angles to Gladstone avenue 165 feet to a point in the centre line of Gladstone avenue; thence (12) southwardly along the centre line of Gladstone avenue 125 feet to a point in the extended northerly line of Bradshaw avenue; thence (13) southeastwardly crossing Bradshaw avenue 65 feet, more or less, to a point in the southerly line of Bradshaw avenue corner to Lots Nos. 43 and 44 said plan and distant 275 feet west from the southwesterly corner of Bradshaw and Westminster avenues; thence (14) southwardly at right angles to Bradshaw avenue 140.30 feet to a point in the northerly line of lands of Naomi B. Mick; thence (15) westwardly along said line 0.93 of a

foot, more or less, to a point corner to the same and lands of Emil Salo and wife; thence (16) southeastwardly along the line between lands of said Naomi B. Mick and Emil Salo and wife, parallel with or about parallel with Crest avenue 275.66 feet to a point in the northwesterly line of High street; thence (17) southeastwardly crossing High street 55 feet, more or less, to a point in the southeasterly line of High street corner to lands of Daniel A. Hagan and wife on the northeast and lands of Elizabeth Firlein on the southwest; thence (18) southeastwardly along the line between said lands at right angles to High street 150 feet to a point corner to the same in the line of lands of Anne D. Belber; thence (19) southwestwardly along the line between lands of Anne D. Belber, Garnett R. Ryden and Edna H. Latimer on the southeast and lands of Elizabeth Firlein and Elizabeth A. and Katherine E. McDevitt on the northwest, parallel with Chews Landing road formerly Highland avenue 250 feet to a point corner to lands of Stanley F. Bailey and wife; thence (20) southeastwardly along the line between lands of the aforesaid Edna H. Latimer and Stanley F. Bailey and wife at right angles to Chews Landing road and parallel with and 100 feet northeast of Crest avenue 224.75 feet to a point in the centre line of Chews Landing road; thence (21) southwestwardly along the centre line of Chews Landing road 20 feet, more or less, to the present corner of the borough of Haddonfield and the borough of Haddon Heights.

2. Such portions of the land situate in the said borough of Haddon Heights are hereby set off therefrom and annexed to and included in the said borough of Haddonfield, and such portions of the land situate in the said borough of Haddonfield are hereby set off therefrom and annexed to and included in the said borough of Haddon Heights, as are necessary to relocate, fix and establish the boundary line at the location aforesaid between the said two boroughs.

3. All sums of money that may be collected on account of unpaid taxes, apportioned to the effective date of this act, now on or against the said portions of land set off from the said borough of Haddon Heights and annexed to the said borough of Haddonfield by this act, or on account of unpaid assessments now on or against the said portions of land, shall be and remain the property of the said borough of Haddon Heights; but the said borough of Haddonfield shall not be responsible or liable for the collection or payment of such unpaid taxes or assessments.

Unpaid taxes,
Haddon
Heights.

4. All sums of money that may be collected on account of unpaid taxes, apportioned to the effective date of this act, now on or against the said portions of land set off from the said borough of Haddonfield and annexed to the said borough of Haddon Heights by this act, or on account of unpaid assessments now on or against the said portions of land, shall be and remain the property of the said borough of Haddonfield; but the said borough of Haddon Heights shall not be responsible or liable for the collection or payment of such unpaid taxes or assessments.

Unpaid taxes,
Haddonfield.

5. The said borough of Haddon Heights shall not be required to surrender any of its assets, shall not be relieved of any of its indebtedness or liabilities, shall not become entitled to any of the assets of the said borough of Haddonfield, and shall not be responsible or liable for any of the indebtedness or liabilities of the said borough of Haddonfield, on account or by reason of the relocating, fixing and establishing of said boundary line or the setting off and annexation of land effected by this act.

Not to affect
assets and
liabilities,
Haddon
Heights.

6. The said borough of Haddonfield shall not be required to surrender any of its assets, shall not be relieved of any of its indebtedness or liabilities, shall not become entitled to any of the assets of the said borough of Haddon Heights, and shall not be responsible or liable for any of the indebtedness or liabilities of the said borough of Haddon Heights,

Not to affect
assets and
liabilities of
Haddonfield.

on account or by reason of the relocating, fixing and establishing of said boundary line or the setting off and annexation of land effected by this act.

7. This act shall take effect immediately.

Approved June 24, 1947.

CHAPTER 344

AN ACT concerning the appointment and payment of compensation of interpreters in the county courts in the respective counties of this State, and amending section 2:16-36 of the Revised Statutes.

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

Section
amended.

1. Section 2:16-36 of the Revised Statutes is amended to read as follows:

Judge to
fix salary.

2:16-36. The compensation of interpreters appointed to interpret the Italian, German, Polish, and Russian, and Hungarian and Slavish languages shall be fixed by the judge of the court of common pleas of the respective counties, or by the judges of such court if there be more than one such judge in any county; *provided, however*, that the salaries so fixed shall not become effective unless approved by resolution of the board of chosen freeholders of the county wherein such salaries are to be paid.

Proviso.

Payment.

The salaries herein provided shall be paid by the treasurer of each county, semimonthly, out of the funds of the county, and shall, whenever fixed as herein provided, be in lieu of all other fees or compensation whatsoever.

2. This act shall take effect immediately.

Approved June 25, 1947.

CHAPTER 345

AN ACT to improve the condition of tenement houses in this State, and amending sections 55:3-1, 55:3-2, 55:3-8, 55:3-15, 55:3-17, 55:3-23, 55:3-24, 55:3-25, 55:3-26, 55:3-29, 55:3-30, 55:3-34, 55:3-35, 55:3-39, 55:3-45, 55:3-46, 55:4-9, 55:4-10, 55:4-14, 55:4-15, 55:4-17, 55:5-4, 55:5-5, 55:5-7, 55:5-15, 55:5-16, 55:6-2, 55:6-6, 55:6-16, 55:8-2, 55:8-4, 55:8-10, 55:8-11, 55:10-9 and 55:13-2 of the Revised Statutes.

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

1. Section 55:3-1 of the Revised Statutes is Section amended. amended to read as follows:

55:3-1. A fireproof stairway is a stairway which Fireproof stairways and balconies, specifications. is constructed of iron, steel, concrete or other fireproof material approved by the board. Every fireproof tenement house erected after March twenty-sixth, one thousand nine hundred and twenty-eight, shall be provided with an open outside fireproof stairs and balcony which shall be directly accessible through a door from the public hall on each floor. This stairway shall be provided with electric light on each platform at each floor and such light shall be kept burning from sunset to sunrise every night throughout the year. In lieu of an open outside fireproof stairs there may be substituted outside inclosed fireproof stairs which shall be inclosed in masonry walls at least eight inches thick. There shall be no opening in any wall separating them from the building. Access shall be provided to the stairway from the main hall of every floor of the building by means of an outside balcony or vestibule of steel, iron or masonry. Every such balcony or vestibule shall have an unobstructed width of at least thirty-six inches and shall be provided with

a fireproof floor and a railing of incombustible material not less than three feet high. Access to such balconies from the building and to the stairway from the balconies shall be by means of fireproof doors. The level of the balcony floor shall be not more than seven inches below the level of the door or sill of the building. The doors shall be not less than thirty-six inches wide and shall swing outward on to the balcony from the hall and inward from the balcony to the stairway and shall be provided with latches with visible fastenings requiring no key to open them in leaving the building. The landings shall be of such width that the doors in opening into the stairway shall not reduce the free passageway of the landings to a width less than the width of the stairs which shall be three feet in the clear. Such stairways shall be provided with a window to the outer air furnishing adequate light and also provided with electric light. An approved auxiliary lighting system shall also be provided. All stairs shall be provided with access to the street as set forth in sections 55:3-6 or 55:3-23 of this Title. If said house is to be arranged for more than eighty-four apartments above the entrance floor two such stairs shall be required. Where the tenement house is not more than three stories in height the provisions of this section shall not apply.

Section
amended.

Nonfireproof
tenements,
stairways,
fire escapes,
specifications.

2. Section 55:3-2 of the Revised Statutes is amended to read as follows:

55:3-2. Every nonfireproof tenement house erected after March twenty-fifth, one thousand nine hundred and four, three stories or more in height, unless provided with outside fireproof stairways directly accessible through a door or window of a private hall within the apartment or of at least one room, other than a bathroom or water-closet compartment in each apartment, shall have fire escapes located and constructed as hereafter described. The provisions of this subtitle relating to outside fire escapes shall not, except as provided elsewhere in this section, apply to any house not more than

three stories in height which shall be provided with two independent stairways, as remote from each other as possible, leading from the top floor of the said house to the first floor thereof, to both of which stairways all of the persons occupying the second and third floors, shall have access without entering any apartment other than the one occupied by such persons, one of which said stairways may be an outside stairway, if said stairway is, in the opinion of said board, substantially constructed. Where a tenement house is not more than three stories in height fire escapes shall not be required for any floor which is provided with two stairways as set forth in the preceding sentence except as may be required elsewhere in this section. If an additional stairway is constructed, egress to the street must be provided as directed by the board. Every non-fireproof tenement house two stories in height erected after March twenty-sixth, one thousand nine hundred and twenty-eight, shall be provided with two stairways as required by this section for three-story tenement houses which are not arranged for more than four families on a floor. Every nonfireproof tenement house three stories in height erected after March twenty-sixth one thousand nine hundred and twenty-eight which is arranged to be occupied by more than four families on any floor above the first floor shall be provided with fire escapes as required by this subtitle or in lieu thereof there shall be provided an additional stairway which shall be directly accessible by a doorway from a private hall within the apartment or at least one room in each apartment other than a bathroom or water-closet compartment.

3. Section 55:3-8 of the Revised Statutes is amended to read as follows:

Section
amended.

55:3-8. All fire escapes erected on any tenement house shall be made of iron or steel of good quality and have one coat of approved paint before leaving the shop and at least one coat after erection. All fire escapes and fireproof outside stairs on tenement houses shall be kept well painted if built of

Fire escapes of
iron or steel.

iron or steel and all outside stairs of any form of construction shall be kept in good repair.

Section
amended.

4. Section 55:3-15 of the Revised Statutes is amended to read as follows:

Drop ladders,
specifications.

55:3-15. An iron drop ladder to reach to a safe landing place shall be required from the lowest balcony of every fire escape on a tenement house, except where the lowest balcony is more than seventeen feet above the sidewalk or ground and a landing platform is required as hereinafter provided. Each part of such ladder shall be in one piece. It shall not be less than fifteen inches in width with strings not less than three-eighths of an inch by one and one-half inches, and rungs not less than five-eighths of an inch in diameter, placed not more than twelve inches apart and securely riveted through the strings. Every drop ladder shall have a yoke of wrought iron fifteen inches in width and extending at least five feet above the top rung, and such ladder shall be suspended by a chain or cable attached at one end to the top of the yoke, and at the other end to a counterweight heavy enough to maintain the ladder when not in use, at least eight feet above the ground. The chain or cable shall pass over a grooved pulley wheel; the upper half of the rim of such wheel shall be covered and the chain or cable and pulley wheel shall be of a size and strength approved by the board. The cast-iron pulley shall be properly fastened to a wrought iron bar securely riveted to at least two brackets of a balcony or such bar shall go through the wall, if placed on a brick building, and be properly fastened by nuts and washers, or, if placed on a frame building, it shall go through the wall and a wrought iron or steel plate and be properly fastened with nuts and washers; such plate shall be not less than three inches wide and one-quarter of an inch in thickness and pass across and bear upon the entire inner faces of at least two studs and be backed and re-enforced by a solid backing as thick as the studs, firmly secured to the studs across which the plate passes. At the upper end of each

string there shall be a fixed hook by which the ladder may be held against the top rail of the balcony, and there shall be two hooks of round wrought iron not less than five-eighths of an inch in diameter securely fastened to the bottom of the lowest balcony, placed not more than one-half inch further apart than the width of the ladder, and so constructed as to hold the ladder not less than four inches away from the bottom rail of the balcony. Every counterbalanced drop ladder must be provided with a basket or other safety device to receive the counterweight and ladder if directed by the board. When evidence is submitted to the board that it is impractical to construct the drop ladder as herein set forth, the board may approve an equivalent form of construction for such ladder. In every fire escape where the floor of the lowest balcony is more than seventeen feet above the sidewalk or ground, a suitable landing platform shall be provided. Such platform shall be located not more than ten feet above the ground and shall be connected with the balcony above by means of a stairway constructed as required by this subtitle for stairways between balconies; such platform shall not be less than three feet in width and four feet long and be provided with proper railings and a drop ladder without a yoke or counterweight, but with a hook at the upper end of each string by which the ladder may be held against the top rail of the platform.

5. Section 55:3-17 of the Revised Statutes is amended to read as follows:

55:3-17. Every tenement house over three stories in height, erected after March twenty-fifth, one thousand nine hundred and four, shall have in the roof a fireproof bulkhead with a fireproof door to the same, and the stairs leading to it shall be the same as required or installed throughout the building and so placed as to be readily accessible to all tenants at all times.

Section
amended.

6. Section 55:3-23 of the Revised Statutes is amended to read as follows:

Entrance
to stairs,
specifications.

55:3-23. Each flight of stairs mentioned in sections 55:3-20 to 55:3-22 of this Title shall have an entrance on the entrance floor from the street or street court, or from an inner court which connects directly with the street. Each flight of stairs mentioned in sections 55:3-21 and 55:3-22 of this Title shall be constructed of approved fireproof material. Subtreads shall be provided where necessary. If all of these stairs open to a common hall, they shall, except one stairway and its stair hall, be completely separated from the public and entrance halls and any elevator shaft by fireproof walls as set forth in section 55:3-29 of this Title, except for door openings, which shall be closed by self-closing fireproof doors in fireproof frames. All stairs shall be constructed with a rise of not more than eight inches and with treads not less than ten inches wide and not less than three feet long in the clear. In tenement houses erected after March twenty-first, one thousand nine hundred and twenty-five, the use of winders in the stairs will not be permitted.

Section
amended.

7. Section 55:3-24 of the Revised Statutes is amended to read as follows:

Cellar stairs,
nonfireproof
tenements.

55:3-24. In all nonfireproof tenement houses erected after March twenty-fifth, one thousand nine hundred and four, which are occupied or arranged to be occupied by more than two families on any floor, stairs leading from the entrance floor to the cellar may be constructed inside the building if they are enclosed in the cellar with an eight-inch fireproof wall with a self-closing fireproof door hung in a fireproof frame, set three feet from the lowest step. The enclosing partitions on the first floor shall be plastered on both sides over metal lath or approved plaster board and have a self-closing fireproof door hung in a fireproof frame at the top; and that portion of the cellar or other lowest story, into which said stairs lead must be entirely shut off by fireproof walls from those por-

tions of the cellar in which heating appliances, boilers or machinery are located. All openings in such walls shall be provided with self-closing fireproof doors. If such stairs are placed under the stairs leading to the upper stories, then the flight of stairs under which they are placed shall be fireproof, except that in tenement houses erected prior to one thousand nine hundred and forty-three in which inside cellar stairs have been or may be constructed the existing flight of stairs above them shall be safeguarded against fire with the use of such fire retarding material in such manner as shall be satisfactory to the board. In nonfireproof tenement houses erected after said date, which are not occupied or arranged to be occupied by more than two families on any floor, stairs leading from the entrance floor to the cellar may be placed inside the building, if they are enclosed with fireproof walls in the cellar, with a self-closing fireproof door hung in a fireproof frame three feet from the lowest step and a self-closing fireproof door hung in a fireproof frame at the top of the stairs and the enclosing partition on the first floor must be plastered on both sides over metal lath or approved plaster board, except that in tenement houses arranged to be occupied by not more than three families in all, the fireproof door and enclosure at the top may be omitted if the stairs to cellar are not located under the main stairway. If new stairs are constructed from the entrance floor to the cellar in a tenement house existing on said date, such stairs shall be enclosed as directed by the board. The provisions of this section shall not apply where the stairs extend from the entrance floor to a masonry-enclosed portion of a lower floor used for other than cellar purposes, having not more than one entrance, into the cellar proper, which is provided with a fireproof self-closing door hung in a fireproof frame.

Section
amended.

Cellar stairs,
fireproof
tenements.

8. Section 55:3-25 of the Revised Statutes is amended to read as follows:

55:3-25. In every fireproof tenement house erected after March twenty-fifth, one thousand nine hundred and four, the stairs communicating between the lowest cellar or other lowest story, if said lowest story is used for cellar purposes, and the next floor above, may be placed inside of the said building. All such inside stairs shall be inclosed in the cellar with eight-inch fireproof walls with a self-closing fireproof door located three feet from the lowest step and the inclosing partitions on the first floor shall be fireproof with self-closing fireproof door at the top. The portion of the cellar or other lowest story into which such inside stairs lead shall be entirely shut off by fireproof walls from those portions thereof which are used for the storage of fuels, or in which heating appliances, boilers, or machinery are located. All openings in such walls shall be provided with self-closing fireproof doors. The provisions of this section shall not apply where the stairs extend from the entrance floor to a masonry-enclosed portion of a lower floor used for other than cellar purposes, having not more than one entrance, into the cellar proper, which is provided with a fireproof self-closing door hung in a fireproof frame.

Section
amended.

Banisters
and railings.

9. Section 55:3-26 of the Revised Statutes is amended to read as follows:

55:3-26. All stairs in tenement houses and all outside stairs having more than 4 risers which lead to any part of a tenement house shall be provided and maintained with proper banisters and railings and shall be kept in good repair. All public halls, stair halls and stairs in any tenement house shall be kept free of any encumbrance at all times.

Section
amended.

Partitions,
walls, ceilings,
floors and
doors.

10. Section 55:3-29 of the Revised Statutes is amended to read as follows:

55:3-29. Every nonfireproof tenement house erected after March twenty-fifth, one thousand nine hundred and four, may have stud partitions above the cellar or basement. All such stud partitions

which inclose public halls, all stair halls, and the entrance hall shall be lathed on both sides with metal laths or approved plaster board and plastered at least three-eighths of an inch thick with plaster of good material. The ceilings of these halls must be lathed and plastered in a similar manner. In every tenement house erected after March twentieth, one thousand nine hundred and twenty-five, which is arranged for more than twelve apartments above the entrance story the entrance hall, public hall and stair halls shall be inclosed in fireproof walls at least eight inches thick except for the two upper stories where they may be six inches thick if they are nonbearing walls. If these walls are carried from floor to floor on fireproof floor construction, or steel beams, they may be of such thickness as the board may direct. In every tenement house erected after March twentieth, one thousand nine hundred and twenty-five, containing over thirty-six apartments, or suites of rooms, above the entrance story the floors of the entrance hall, stair halls and public halls shall be constructed of iron or steel beams and fireproof filling or of re-enforced concrete. No wooden flooring or sleepers shall be permitted. All doors and door frames opening from these halls to the apartment shall be fireproof or the doors and frames may be of hardwood at least two inches thick, nominal measurement.

11. Section 55:3-30 of the Revised Statutes is amended to read as follows:

Section
amended.

55:3-30. In all nonfireproof tenement houses erected after March twenty-sixth, one thousand nine hundred and twenty-eight, all bearing stud partitions which rest directly over each other shall run through the wooden floor beams and rest upon the plate of the partition below, and shall have the space between the studding filled in solid to the full depth of the floor beams and to a point three inches above the said beams with approved incombustible materials.

Stud partitions.
incombustible
filler.

Section
amended.

Stud partitions
plastered.

12. Section 55:3-34 of the Revised Statutes is amended to read as follows:

55:3-34. All stud partitions constructed in any tenement house after March twenty-fifth, one thousand nine hundred and four, shall be plastered from the floor to the ceiling. The ceilings of all rooms shall be plastered in a similar manner, except that rooms used for business and also living rooms in the basement shall have the ceilings finished as required by section 55:3-35 of the Revised Statutes. In tenement houses existing on such date, new stud partitions separating rooms may be lathed with approved fireproof wall board and need not be plastered if the board so directs. All partitions separating stores must be stud partitions or may be of other construction if approved by the board.

Section
amended.

Ceiling of
cellar, stores,
soffits of stairs.

13. Section 55:3-35 of the Revised Statutes is amended to read as follows:

55:3-35. In every nonfireproof tenement house erected after March twenty-fifth, one thousand nine hundred and four, the entire ceiling of the cellar or other lowest story if such lowest story is used for cellar purposes, must be plastered at least three-eighths of an inch thick with plaster of good material over metal lath or approved plaster board; except, that where such tenement house is not over three stories in height and is not arranged to be occupied by more than eight families in all, the ceiling of the cellar may be lathed with approved fireproof wall board and the joints well pointed.

When any part of the entrance floor or of the basement is used as a store or workshop or for the storage of combustible materials, then the ceiling of the part of the floor so used must be plastered at least three-eighths of an inch thick with plaster of good material, over metal lath or approved plaster board. If any store ceiling is to be covered with a metal ceiling or any sound proofing material, it must be covered with approved plaster board with the joints between boards filled solidly with plaster in lieu of plastering.

The soffits of all flights of stairs, except those which are fireproof and except the stairs leading to the cellar, must be plastered at least three-eighths of an inch thick with plaster of good material, over metal lath or approved plaster board.

14. Section 55:3-39 of the Revised Statutes is amended to read as follows:

Section
amended.

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 both sides of wall are plastered three-eighths of an inch thick. 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.

Wooden
tenements.

15. Section 55:3-45 of the Revised Statutes is amended to read as follows:

Section
amended.

55:3-45. All doors, transoms and windows opening into public halls from any portion of a tenement house where paint, oil, spirituous liquors or drugs are stored for the purposes of sale or otherwise, shall be removed and closed up as solidly as the rest of the wall. In lieu of removing the doors specified in this section, such doors may be made fireproof self-closing and hung in fireproof frames.

Transoms
removed
and closed.

Section
amended.

16. Section 55:3-46 of the Revised Statutes is amended to read as follows:

Shafts and
vent flues.

55:3-46. All shafts and vent flues constructed in tenement houses shall be constructed fireproof throughout, with fireproof self-closing doors at all openings at each story, except window openings in vent shafts which shall be closed with wire glass windows in metal frames; and if they extend to the cellar shall also be inclosed in the cellar with fireproof walls and fireproof self-closing doors at all openings. In no case shall any shaft be constructed of materials in which any inflammable material or substance enters into any of the component parts.

All shafts constructed in existing tenement houses and in buildings converted into tenement houses shall be inclosed in the cellar with fireproof walls with a self-closing fireproof clean-out door at the bottom and such shafts may be constructed of two-inch by four-inch studs on the upper floors. The space between the studs shall be filled in solidly with fireproof material and the outside face of such shaft shall be covered with fireproof weather resisting material. The inside face of the shaft shall be plastered with two coats of plaster over metal lath or approved plaster board. Window openings shall be closed with wire glass windows set in a metal frame or a wood frame covered with metal.

Section
amended.

17. Section 55:4-9 of the Revised Statutes is amended to read as follows:

Tenements on
rear of lots.

55:4-9. No separate tenement house shall be erected after March twenty-fifth, one thousand nine hundred and four, 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 section if there is maintained between each series of tenement houses an open space equal to the width of a street as set

forth in section 55:4-1 of this Title, or the buildings may be so plotted as to meet the approval of the board and the intent of this provision. The height of the tenement house or houses shall also be regulated by the provisions of section 55:4-1 of this Title. Lot lines for each unit need not be shown, provided the boundary lines of the plot are clearly indicated. Where a row of these buildings are attached to each other and where one or more of these buildings may be greater in height than the adjoining building, windows in rooms of the higher building which light over the roof of the lower building shall be deemed as adding to or providing the required window area of such room—all such windows shall be in fireproof frames and glazed with wire glass. Frame gables extending above the roof of a lower adjacent building shall be filled with fireproof material. This exception shall also apply to any supplementary window in the wall of an adjoining building where such wall extends beyond the front or rear wall of the adjacent building except that such windows need not be fireproof. These exceptions shall not be construed as permitting courts of a less width and length than that set forth elsewhere in this subtitle where rooms depend for light upon courts.

18. Section 55:4-10 of the Revised Statutes is amended to read as follows:

Section
amended.

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:

Buildings 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.

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 section 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%), the number of apartments provided in the tenement house.

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 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.

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.

e. A private garage may be constructed within the first floor, basement or cellar. If constructed within the basement or cellar or attached to the rear wall of the tenement house it 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.

Proviso.

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 any 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 similar 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.

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.

Where the area of the section of a tenement house to be used for garage purposes exceeds one thousand square feet the garage section shall be sprinklered with an automatic sprinkler system approved by that board as being appropriate for the premises.

Garage floors shall be of concrete or equally fire resistive and impervious material.

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.

Every garage with floor level more than one-half its height 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 section, shall be filed with the plan. Every garage within or partly within a tenement house, the ceiling of which is more than one-half above the street or yard grade shall be provided with movable windows sufficient in number to afford adequate ventilation, or such other method of ventilation as the board may require.

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.

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.

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.

19. Section 55:4-14 of the Revised Statutes is amended to read as follows:

Outer courts
between wings.

55:4-14. In every tenement house erected after March thirty-first, one thousand nine hundred and five, exceeding three stories in height, where an outer court is situated between wings or parts of the same building, the width of the said court, measured from wall to wall, shall not be less than seven feet, running parallel with wall. Whenever an outer court so situated exceeds thirty-six feet in depth, the entire court shall be increased in width six inches for every additional fifteen feet or fraction thereof.

Section
amended.

20. Section 55:4-15 of the Revised Statutes is amended to read as follows:

Outer courts,
width when
not exceeding
three stories.

55:4-15. In every tenement house erected after March thirty-first, one thousand nine hundred and five, not exceeding three stories in height, and which is not occupied or arranged to be occupied by more than eight families in all, or by more than two families on a floor, and in which also each apartment extends through from the street to the yard, the width of an outer court situated between wings or parts of the same building, measured from wall to wall, shall be not less than

seven feet, running parallel with wall. Where such court extends sixty-five feet in depth, its width shall be increased one foot for every thirty feet or fraction thereof that said court exceeds sixty-five feet in depth. Where such tenement house is occupied by more than eight families in all, or by more than two families on any floor, and where the apartments do not extend through from the street to the yard, the width of an outer court, situated between wings or parts of the same building, or between different buildings on the same lot, shall be regulated by section 55:4-14 of this Title.

21. Section 55:4-17 of the Revised Statutes is amended to read as follows:

Section amended.

55:4-17. Where an outer court is, in width, as wide as the depth of the yard which would be required for the tenement house, without any deduction for a setback, an offset may be construed as a court between wings but it shall not be greater than the dimensions set forth in section 55:4-14 of this Title.

Outer court when depth is less than minimum width.

22. Section 55:5-4 of the Revised Statutes is amended to read as follows:

Section amended.

55:5-4. In every tenement house erected after March twenty-fifth, one thousand nine hundred and four, all rooms except water-closet compartments and bathrooms shall be of the following minimum sizes: In each apartment there shall be at least one room containing not less than one hundred and twenty square feet of floor area. Each other room shall contain not less than ninety square feet of floor area, except a pullman corner, breakfast room or dinette, which may be fifty-five square feet in area; and except a kitchen which shall contain not less than seventy square feet of floor area or kitchenette which shall not be more than fifty-five square feet in area. Where a dressing closet is provided it shall not be greater than six feet in its maximum dimension.

Area and heights of rooms.

Each room shall be in every part not less than nine feet high from the finished floor to the fin-

ished ceiling; except as hereinafter in this section provided, and except that an attic room need be the required height in but half of its area. No part of an attic room which is less than four feet six inches in height shall be considered as part of the required floor area of such room. In tenement houses erected after such date, which do not occupy more than eighty-five per centum (85%) of a corner lot or sixty per centum (60%) of an inside lot, and in which the minimum dimension of any court is not less than fifty per centum (50%) greater than the minimum dimension of any similarly situated court, required by the provisions of this subtitle, for tenement houses of equal height erected after such date, each room shall be not less than eight feet and six inches from the finished floor to the finished ceiling. In such tenement houses, the minimum floor area of any room, other than the rooms excepted in this section shall be not less than one hundred square feet.

In tenement houses erected after such date which do not occupy more than seventy-five per centum (75%) of a corner lot or fifty per centum (50%) of an inside lot, and in which the minimum dimension of any court is not less than twice the minimum dimension of any similarly situated court required by the provisions of this subtitle for tenement houses of equal height, erected after such date, in which the rooms are required by this subtitle to measure nine feet from the finished floor to the finished ceiling, each room shall be not less than eight feet high from the finished floor to the finished ceiling.

Section
amended.

23. Section 55:5-5 of the Revised Statutes is amended to read as follows:

Kitchenette
windows
area and
ventilation.

55:5-5. A kitchenette may be separated from the adjoining room by doors. Every kitchenette shall have a window at least one-tenth the area of the kitchenette, opening to the street or to a yard or court of the size prescribed in this subtitle. In fireproof tenement houses erected after April twenty-first, one thousand nine hundred and thirty-

one, kitchenettes may be ventilated by means of a smooth masonry or metal duct, which shall be provided with some approved system of mechanical exhaust ventilation of sufficient capacity to provide not less than four changes of air per hour. The exhaust duct shall discharge into the outside air and in such a manner as not to create objectionable odors or nuisance on the premises or adjacent premises and if gas outlets are provided or cooking appliances other than electricity are installed, additional ventilation must be provided by a grill of sufficient size between the kitchenette and the adjoining room.

24. Section 55:5-7 of the Revised Statutes is amended to read as follows:

55:5-7. In every tenement house erected after March twenty-fifth, one thousand nine hundred and four, which is occupied or arranged to be occupied by more than two families, on any floor, or which exceeds four stories in height, every public hall shall have at least one window opening directly upon the street, or upon a yard or court. Either such window shall be at the end of said hall, with the plane of the window at right angles to the axis of the said hall, or there shall be at least one window opening directly upon the street, or upon a yard or court in every twenty feet in length or fraction thereof of said hall; but this provision for the window in every twenty feet of hallway shall not apply to that portion of the entrance hall between the entrance and the first flight of stairs, if the entrance door contains not less than five square feet of glazed surface.

In every public hall in such tenement house recesses or returns, the length of which does not exceed twice their width, will be permitted without an additional window, but wherever the length of such recess or return exceeds twice its width, the above provisions in reference to one window in every twenty feet of hallway shall be applied.

Any part of the hallway which is shut off from any other part of said hall by a door or doors shall

Section
amended.

Windows,
stair-wells,
skylights or
electric lights.

be deemed a separate hall, within the meaning of this section.

In every tenement house erected after such date where the public hall is not provided with a window opening directly to the outer air as above provided, there shall be a stair-well not less than twelve inches wide in the clear, extending from the entrance floor to the roof, and all doors leading from such public halls shall be provided with translucent panels of wire glass having an area of not less than five square feet for each door.

In every tenement house erected after said date not more than two stories in height a skylight of the size provided in section 55:5-13 of this Title may be accepted in lieu of a window, if, in the opinion of the board, it adequately lights all parts of the hall.

In fireproof tenement houses erected after said date, in lieu of the window requirements as provided for in this section, electric light may be substituted in all public halls and any elevator vestibule. Such electric light shall burn continuously and shall adequately light all portions of these halls and shall be maintained to the satisfaction of the board. In addition to the regular electric supply an approved auxiliary lighting system shall be installed which shall adequately light these halls during any interruption of the regular service. Where the fireproof tenement house is over four stories in height and the halls are artificially lighted in the manner here set forth, all public halls, except the entrance hall and the top floor hall, if this hall is provided with a ventilating skylight or skylights, shall be ventilated by fireproof gravity vent flues of at least twelve inches in each dimension or by mechanical means approved by the board. There shall be one vent flue for each one thousand cubic feet of air content of such public hall. Such vent flues shall be continuous for the height of the building and the openings at each story shall be equipped with fire dampers held open by a fusible link at

each opening and properly hooded or provided with louvers at the top above the roof.

25. Section 55:5-15 of the Revised Statutes is amended to read as follows:

Section
amended.

55:5-15. In every tenement house a proper light shall be provided by the owner or agent of the owner, in the entrance hall and all stair halls throughout the tenement house. All lights shall be located near the stairways and be kept burning every night throughout the year during the hours herein set forth. Where the tenement house is not over two stories in height the light shall burn in the entrance hall from sunset to sunrise and in the second floor hall from sunset to ten o'clock post meridian. Where the tenement house is over two stories and not over four stories in height the light shall burn in the entrance and third floor halls from sunset to sunrise and on the second and fourth floors from sunset to ten o'clock post meridian. Where the tenement house is over four stories in height the light shall burn in all halls from sunset to sunrise. Where the tenement house is over three stories in height and where the public halls and stairs are, in the opinion of the board, not sufficiently lighted, the owner of such house shall keep a proper light burning in the hallways near the stairs upon each floor as may be necessary, twenty-four hours of the day. All such lights shall be so arranged as to guard effectually against fire.

Lights in
hallways.

26. Section 55:5-16 of the Revised Statutes is amended to read as follows:

Section
amended.

55:5-16. Every vent shaft constructed after March twenty-first, one thousand nine hundred and twenty-five, in a tenement house shall be at least nine square feet in area, and the least dimensions of such shaft shall be not less than three feet; and if the building be above fifty feet in height, such shaft shall throughout its entire height be increased in area three square feet for each additional twelve feet in height or fraction thereof; and for each twelve feet in height less than fifty

Vent shafts,
specifications.

feet, such shaft may be decreased in area three square feet. A vent shaft may be inclosed on all four sides, but it shall not be roofed or covered over in any way, except that in tenement houses erected prior to March twenty-fifth, one thousand nine hundred and four, and in buildings converted into tenement houses such shafts may be covered by a fixed louver skylight, if such covering does not, in the opinion of the board, interfere with the proper ventilating of the shaft. Every such shaft shall be provided with a horizontal intake or duct at the bottom, communicating with the street or yard or a court, such duct or intake shall be constructed of metal, or other fire resisting material, and be not less than four square feet in total area and must be arranged so as to be easily cleaned out.

Section
amended.

27. Section 55:6-2 of the Revised Statutes is amended to read as follows:

Basement
rooms, condi-
tions to be
complied with.

55:6-2. In tenement houses erected after March twenty-fifth, one thousand nine hundred and four, no room in the cellar or in the basement shall be constructed, altered, converted or occupied for living purposes unless all of the following conditions are complied with:

a. Such room shall be at least eight feet and six inches high in every part, from the floor to the ceiling; except that in buildings erected prior to such date and not then used as tenement houses, but thereafter altered or converted to such use, such room shall not be less than eight feet in every part, from the floor to the ceiling;

b. The ceiling of such room shall be at least five feet above the surface of the street. If the rooms front on the yard or on a court the ceiling of such rooms shall be at least four feet six inches above the court or yard level;

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

d. Such room shall have a window or windows opening upon the street or upon a yard or court. The total area of windows in such room shall be

at least one-eighth of the superficial area of the room, and one-half of the sash shall be made to open full width; and the top of each window shall be within six inches of the ceiling.

Every cellar or basement in which living rooms are constructed after the date of this amendment shall have at least two exits by doorways opening to the street or yard, or to a court having direct egress to the street or yard.

28. Section 55:6-6 of the Revised Statutes is amended to read as follows: Section amended.

55:6-6. In every tenement house, erected after March twenty-fifth, one thousand nine hundred and four, the bottom of all shafts, courts, areas and yards which extend below the adjoining ground level, shall be paved with flagstones, cement or asphalt, or may be finished in a manner approved by the board if, in their opinion, the size of the court is such as to make the paving unnecessary. Every court shall be properly drained. Where basement rooms open on a court, area or yard, the ceiling of such rooms opening on the court or yard level shall be as required by paragraph 6-2, subdivision b. Bottom of shafts, courts, etc.

29. Section 55:6-16 of the Revised Statutes is amended to read as follows: Section amended.

55:6-16. In all nonfireproof tenement houses erected after April twenty-first, one thousand nine hundred and thirty-one, there shall be an air space between the ceiling of the upper story and the roof, which air space shall not be less than eighteen inches in every part between beams; and such space shall be properly ventilated with louvers, except where ceiling or roof beams are insulated four inches deep with rockwool or its equal, the board may grant an exception to the eighteen-inch air space herein required. Air space between ceiling and roof.

30. Section 55:8-2 of the Revised Statutes is amended to read as follows: Section amended.

55:8-2. In every tenement house erected after March twenty-fifth, one thousand nine hundred and four, there shall be, within each apartment, at least Water closets required.

one water-closet. There shall also be provided similar water-closet accommodations, separate and distinct from that provided for any apartment, for any store or workshop which may be located on the premises, except that where store and apartment are connected and rented to one tenant a separate water-closet for the store may be omitted if the board so directs. The board may, in its discretion, permit a water-closet for a store or workshop to be ventilated by a ten-inch by twelve-inch fireproof duct which shall extend to the outer air. This duct shall be equipped with an exhaust fan which shall operate on the water-closet light.

Section
amended.

31. Section 55:8-4 of the Revised Statutes is amended to read as follows:

Water closets
and bathrooms,
specifications.

55:8-4. Every water-closet in every tenement house shall be in a compartment completely separated from every other water-closet.

Every water-closet compartment and every bathroom whether it contains a water-closet or not, constructed after April twenty-first, one thousand nine hundred and thirty-one, shall be at least two feet and four inches wide, and shall have a sash window of not less than three square feet in area which window shall be arranged so as to open readily and directly to a street, yard, court or vent shaft, except that in tenement houses erected prior to March twenty-fifth, one thousand nine hundred and four, where it can be shown to the satisfaction of the board that the window required elsewhere in this paragraph for new water-closets and bathrooms cannot be provided, the board may approve, after the date of this amendment, a fireproof duct for new water-closets and bathrooms. This duct shall have a cross sectional area of one hundred twenty square inches for each water-closet or bathroom opening thereto. The duct shall extend to or above the roof of the tenement house and shall be so arranged that the air will be drawn from the water-closet or bathroom by gravity, or a wind-driven device, at least ten times an hour or the duct may be provided with a fan which will operate

on water-closet light and provide the same change of air. Where a vent duct is installed the door to water-closet or bathroom shall have a movable louver in the bottom rail and except that in fire-proof tenement houses, in lieu of the window as required by this section, water-closets and bathrooms may be ventilated by means of a smooth masonry or metal duct, which shall be provided with some approved system of mechanical exhaust ventilation of sufficient capacity to provide not less than four changes of air per hour. The exhaust duct shall discharge into the outside air and in such a manner as not to create objectionable odors or nuisance on the premises or adjacent premises. The floor of every such water-closet compartment and bathroom constructed after such date shall be made waterproof with asphalt, tile, stone or other approved waterproof material, and such waterproofing shall be carried six inches above the floor of the compartment, so that the said compartment may be washed or flushed out without leaking. Where such compartments are located after such date within a tenement house they shall be inclosed on all sides with plaster partitions, carried from the floor to the ceiling. Provision shall be made for lighting the said compartments at night and if fixtures for gas or electric lighting are not provided, then translucent glass panels shall be placed in the doors, said panels to have an area of not less than five square feet. Where water-closet compartments are located in the yard of any tenement house, the structure containing such compartments shall be substantially constructed, tightly inclosed and partitioned off and the roof made water-tight. Such compartments shall not exceed ten feet in height. The structure containing them shall not be used for any other purpose than for water-closet purposes, shall not be considered as increasing the percentage of the lot occupied, and shall not be subject to the provisions of section 55:4-10 of this Title.

Section
amended.

32. Section 55:8-10 of the Revised Statutes is amended to read as follows:

Cesspools or
septic tanks.

55:8-10. In any tenement house erected after March twenty-fifth, one thousand nine hundred and four, cesspools will be allowed only when their use is absolutely necessary and then only when constructed as directed by the board; and no cesspool shall be permitted to be constructed within twenty-five feet of any tenement house. Septic tanks may be used in lieu of the cesspools herein provided if they are installed to meet the requirements of the municipality in which the tenement house is located.

Section
amended.

33. Section 55:8-11 of the Revised Statutes is amended to read as follows:

Sinks
required.

55:8-11. Every tenement house erected after March twenty-fifth, one thousand nine hundred and four, shall have at least one sink located within the room in which cooking is done in each apartment and such sink shall be supplied with running water.

Section
amended.

34. Section 55:10-9 of the Revised Statutes is amended to read as follows:

Fees payable.

55:10-9. Upon the approval of the plan for any alteration to an existing tenement house, the owner of any such house, or his architect or other lawful agent, shall pay to the board a fee which shall be as follows for each building altered:

	<i>Fee</i>
Under \$200.00	No fee
From 200.00 to \$500.00	\$2.00
From 501.00 to 1,500.00	3.00
From 1,501.00 to 3,000.00	4.00
From 3,001.00 to 5,000.00	5.00
From 5,001.00 to 7,000.00	6.00

Over seven thousand dollars (\$7,000.00) the fee shall be as provided in section 55:10-8 of this Title for new buildings.

35. Section 55:13-2 of the Revised Statutes is amended to read as follows:

Section amended.

55:13-2. Any building converted into a tenement house under the provisions of this chapter shall be made to conform in all respects to, and shall at all times be maintained in accordance with, the requirements of this subtitle, applicable to buildings converted into tenement houses subsequent to March twenty-fifth, one thousand nine hundred and four, except as in this chapter specifically provided; and all of the provisions of this subtitle referring to the filing and approval of plans, the issuance of permits, the imposition of penalties and the procedure for the enforcement of this subtitle shall apply to any building converted into a tenement house under the provisions of this chapter and to the owner thereof, and to the enforcement of the provisions of this chapter.

Application of subtitle, sundry provisions not to apply.

In buildings of the kind mentioned in section 55:13-1 of this Title:

a. A fireproof scuttle and iron ladder may be installed in lieu of the fireproof bulkhead and stairs required in sections 55:3-17 and 55:3-18 of this Title;

b. An iron ladder leading to a fireproof scuttle in the roof may be installed in lieu of a stairway from the top floor to the roof, as required in section 55:3-20 of this Title;

c. The provisions of said section 55:3-20 shall not apply to existing stairs, entrance halls or public halls, if such stairs, entrance halls or public halls are at least two feet six inches wide in the clear;

d. The provisions of section 55:3-23 of this Title shall not apply to existing stairs, which are substantially constructed and in good repair;

e. The provisions of section 55:3-24 of this Title shall not apply;

f. The provisions of section 55:3-29 of this Title shall not apply to existing plastered partitions enclosing public halls or stair halls, and the ceiling of any cellar or other lowest story;

g. The provisions of sections 55:3-30 to 55:3-33 of this Title shall not apply to existing partitions;

h. The provisions of section 55:3-37 of this Title shall not apply;

i. The provisions of section 55:3-38 of this Title shall not apply to existing walls;

j. The provisions of section 55:3-48 of this Title shall not apply to existing party walls;

k. The provisions of section 55:3-49 of this Title shall not apply to existing flues and chimneys;

l. The provisions of section 55:3-50 of this Title shall not apply, except that there shall be under the stove or range in every kitchen of such building a hearth of cement, concrete or stone, three feet by four feet in size;

m. The provisions of section 55:3-54 of this Title shall not apply to existing flues;

n. The provisions of section 55:3-57 of this Title relating to firebacks or fireplaces shall not apply to existing firebacks;

o. The provisions of section 55:3-59 of this Title shall not apply to existing division or party walls;

p. The provisions of section 55:3-60 of this Title shall not apply;

q. The provisions of sections 55:4-13, 55:4-16 and 55:4-17 of this Title shall not apply to existing courts;

r. The provisions of section 55:4-24 of this Title which require direct access to the bottom of a court by a doorway opening to the public hall of the building, shall not apply;

s. The provisions of section 55:5-1 of this Title which require that a room in a tenement house which opens upon an inner court having an area of less than one hundred fifty square feet, be provided with a sash window communicating with another room in the same apartment, shall not apply;

t. The provisions of section 55:5-2 of this Title shall not apply to existing windows;

u. The provisions of section 55:5-3 to 55:5-5 of this Title shall not apply to existing rooms, and no

part of such provisions shall apply to any new room constructed in or added to any such building, except the provisions that no new room shall have a floor area of less than ninety square feet;

v. The provisions of sections 55:5-7, 55:5-8, 55:5-9, 55:5-13 and 55:6-2 of this Title shall not apply;

w. The provisions of section 55:6-16 of this Title shall not apply, except that an existing air space shall be properly ventilated with louvers or approved ventilators;

x. The provisions of section 55:7-5 of this Title shall not apply to existing foundation walls;

y. The provisions of section 55:7-11 of this Title shall not apply to existing floor beams and roof beams;

z. The provisions of section 55:7-12 of this Title shall not apply to existing partitions.

36. This act shall take effect immediately.

Approved June 26, 1947.

CHAPTER 346

AN ACT relating to the Teachers' Pension and Annuity Fund, and amending 18:13-59 of the Revised Statutes.

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

1. Section 18:13-59 of the Revised Statutes is amended to read as follows: Section amended.

18:13-59. On retirement for disability, a teacher who is a member shall receive a retirement allowance which shall consist of: Retirement allowance.

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

b. A pension which together with said annuity shall be sufficient to produce a retirement allowance of one-seventieth of his average salary multiplied by the number of years of his total service, but not less than three hundred dollars (\$300.00) per annum or thirty per centum (30%) of such average salary, with the exception that in no case shall the allowance exceed nine-tenths of the rate of retirement allowance to which he might have been entitled had retirement been deferred until the age of sixty-two; and

c. If such person was a member of the teachers' retirement fund prior to his becoming a member of the retirement system, a further additional pension, which shall be the actuarial equivalent of the contributions without interest, which he paid to the teachers' pension fund prior to September first, one thousand nine hundred and nineteen, which he has not otherwise received.

Section
retroactive

This section shall be retroactive to April twenty-fourth, one thousand nine hundred and forty-six (being the date of the last prior amendment of the foregoing section), and any retirement allowance made under such prior enactment, if found to be less than would be produced under this amendment, shall be adjusted by the board of trustees and the difference paid in one lump sum to the retirant.

2. This act shall take effect immediately.

Approved June 26, 1947.

CHAPTER 347

AN ACT concerning elections, amending section 19:31-18 and repealing sections 19:30-1 and 19:30-2, and supplementing chapter thirty-one of Title 19 of the Revised Statutes.

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

1. Section 19:31-18 of the Revised Statutes is amended to read as follows:

19:31-18. On or before the Monday following the fourth Tuesday preceding the general election the commissioner shall certify and transmit to the county clerk a complete list of all persons who are registered in each election district in each municipality in the county together with a statement as to the number of persons registered in each district. On the face of the list of registered voters the commissioner shall in figures state the total number of names of persons registered. Such lists shall be arranged substantially in the following form:

Grand Street

Residence number or other designation	Name of Voter
14	Jones, Charles M.
15	Smith, John M.

2. The county clerk in all counties may cause copies of the registry lists, certified and transmitted under section 19:31-18 of the Revised Statutes, to be printed in handbill form, and shall furnish to any voter applying for the same such copies, charging therefor twenty-five cents (\$0.25) per copy. He shall also furnish five printed copies thereof to each district board, which shall within two days post to such registry lists, one in the pol-

Section
amended.

Commissioner
to certify and
transmit
complete list.

Arrangement.

C. 19:31-18.1.
Registry lists
printed.

Distribution by
county clerk.

ling place and one in another conspicuous place within the election district. The county clerk shall also forthwith deliver to the chief of police, superintendent of elections if any there be and the municipal clerk of each of the municipalities in the county for which the lists have been printed five copies of the lists of voters of each election district in such municipality, and to the county board ten copies of the lists of voters of each election district in each of such municipalities. The county clerk shall also forthwith deliver to the chairmen of the State committees and to the chairmen of the county committees of the several political parties, five copies of the lists of voters of each election district in each of the municipalities in his county.

C. 19:31-18.2.
Investigation.

3. The chief of police shall cause an investigation to be made of the names of the persons so appearing on such lists, to ascertain if such persons are residents of the houses from which they are registered, and shall, not later than five days after the receipt thereof from the county clerk, forward the various reports of such investigations, certified by the chief of police, to the county board in counties other than counties of the first class, and to the superintendents in counties of the first class, where they shall be kept open to public inspection and preserved for three years.

C. 19:31-18.3.
Original filed.

4. The county clerk, after causing copies of such registry lists to be printed, shall file the original registry lists in his office and keep same on file for one year.

C. 19:31-18.4.
Sections
repealed.

5. Sections 19:30-1 and 19:30-2 of the Revised Statutes are repealed.

6. This act shall take effect immediately.

Approved June 26, 1947.

CHAPTER 348

AN ACT to amend "A supplement to an act entitled 'An act concerning municipalities,' approved March twenty-seventh, one thousand nine hundred and seventeen, constituting chapter one hundred fifty-two of the laws of one thousand nine hundred and seventeen," approved April twenty-second, one thousand nine hundred and twenty-nine (P. L. 1929, c. 142).

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

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

Section
amended.

1. Whenever in the opinion of the governing body of any city in this State it is necessary for the better control of traffic in such city and the relief of congestion, the governing body by ordinance may utilize lands acquired by gift, grant, devise, purchase or in any other lawful manner, real property or any right, title and interest therein, also may utilize land heretofore or hereafter acquired by public gift or grant for a specific use or purpose and later authorized by the Legislature of this State to be devoted to other public use and purpose, for a plaza or public space or other municipal purpose and the streets adjacent thereto or may acquire lands by condemnation or otherwise, and may provide a traffic location center at, above or below the street level, and may construct therefor such roadways, parking spaces and such other improvements and betterments, including passageways under adjacent streets as, in the judgment of the governing body, may be advisable; *provided, however*, that no lands, or rights or interests in lands, owned by any public utility as defined in section 48:2-13 of the Revised Statutes,

C. 40:178-27.
Use of lands
for traffic
location
centers.

Proviso.

and devoted to, or held for, use by such public utility in its operations, shall be acquired by any city for any of the purposes of this act by condemnation or the exercise of the right of eminent domain without the consent of such public utility.

Section
amended.

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

C. 40:178-28.
May lease
space.

2. In order to provide revenue for construction and maintenance of such improvement and for improvement of streets of the city, whenever the governing body has by ordinance provided such traffic location center, the governing body may lease any or all of the space in such center or beneath the surface of any adjacent streets, for such purposes, including the sale of merchandise and privileges, and upon such terms and conditions, as the governing body may in their discretion deem advisable; *provided*, that such space so leased shall not in the opinion of the governing body be presently needed for street traffic purposes and shall be leased on conditions advantageous to the city and for a term which shall not in any event exceed fifty years; *provided further*, that no commercial enterprise involving the sale or distribution of any commodity or product used in, or for the servicing of, any motor vehicle using such center, shall be conducted as a public or municipal project by the governing body or any board, body or agency of a municipality within or on any traffic location center authorized by this act. In order that such space may be leased on conditions most advantageous to the city, the governing body may construct such improvements as in their opinion may be advisable, or may grant to lessees the right to construct improvements as provided in section 40:178-27 of the Revised Statutes, upon such terms and conditions as the governing body may prescribe in the public interest.

Proviso.

Proviso.

Section
amended.

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

C. 40:178-29.
May issue
bonds.

3. For the financing of the acquisition of lands and the construction of such traffic location center

and the improvements in connection therewith, in case the city should undertake the same, bonds or other obligations may be issued by the city in accordance with the provisions of chapter one of Title 40 of the Revised Statutes. The chief financial officer of the city is authorized to deduct such bonds or other obligations in making any annual or supplemental debt statement.

4. This act shall take effect immediately.

Approved June 26, 1947.

CHAPTER 349

AN ACT to authorize municipalities to institute proceedings to bar and extinguish liens and encumbrances of the State of New Jersey upon premises heretofore acquired by municipalities in foreclosure proceedings upon tax sale certificates, in certain cases.

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

1. Whenever any municipality, prior to June fourteenth, one thousand nine hundred and forty-one, shall have instituted a suit in equity in the Court of Chancery to foreclose the right of redemption from a tax sale upon a certificate of tax sale held by the municipality, and shall have thereafter obtained a final decree therein vesting title to the premises described in such decree in the municipality, and such premises are or may be subject to a lien or encumbrance of the State of New Jersey, which was in existence but subsequent to the lien or encumbrance of the municipality at the time of the institution of the foreclosure suit, the municipality may institute a proceeding in the Court of Chancery to bar and extinguish such lien or encumbrance of the State.

C. 2:61-4.1.
Proceedings to
bar State's lien.

C. 2:61-4.2.
Proceedings
instituted.

2. Such a proceeding shall be instituted by filing a verified petition setting forth the facts and entitled as being supplemental to the original suit. Upon the filing of the petition, the clerk of the court shall issue a notice out of said court to the State of New Jersey, requiring the State to answer the petition within twenty days after service of a copy of the petition and of the notice upon the Attorney-General.

C. 2:61-4.3.
Grounds for
supplemental
decree.

3. In any such proceeding the court may by supplemental decree bar and extinguish the lien or encumbrance of the State

(a) if no answer shall be made by the State within the time limited by such notice or by an order of the court; or

(b) where a disclaimer shall be filed by the State; or

(c) where it shall be determined that the municipal lien upon which the tax sale and tax sale certificate was predicated, or any part thereof, was prior to the lien or encumbrance of the State and the State does not elect to redeem.

4. This act shall take effect immediately.
Approved June 26, 1947.

CHAPTER 350

AN ACT concerning the term of office or position of municipal collectors or receivers of taxes of this State.

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

C. 40:46-6.14.
Voters to
determine
question
of tenure.

1. When any person shall have held the office or position of municipal collector of taxes or municipal receiver of taxes of any municipality of this

State for a continuous period of not less than ten years from the date of his election or appointment, the voters of such municipality shall have the right in any year thereafter so long as such collector of taxes or receiver of taxes shall continue to hold such office or position, to present to the clerk of such municipality a petition requesting that the question of whether such collector of taxes or receiver of taxes shall thereafter continue to hold such office or position during good behavior and not be removed therefrom except for good cause shown after a fair and impartial trial, be placed upon the ballot at the next succeeding general election in order that the voters of such municipality shall be permitted to determine such question by a majority of the ballots cast at such general election.

2. Such petition may be presented by any person or persons in such municipality, but no such petition shall be permitted nor any such question placed on the ballot at any annual election held in the year when such collector of taxes or receiver of taxes would otherwise have to stand for reelection to a new term as otherwise prescribed by law. Such petition shall be signed by at least five hundred voters in cities of the first class and in cities of the second class, by not less than two hundred fifty voters in cities of the third class, and in all other municipalities by at least five per centum (5%) of the voters who cast ballots at the last prior general election.

C. 40:46-6.15.
Petition.

Signers.

3. When any such petition is presented to the municipal clerk not less than sixty days prior to the date for the general election in any year the clerk shall, within fifteen days thereafter, give public notice that the question will be submitted to the voters at the general election for such year, and shall make public notice thereof by publication in one or more newspapers published in the municipality, if there be one published in the municipality, if not, then in one or more newspapers published in the county wherein the municipality

C. 40:46-6.16.
Public notice.

is located, to be designated by the clerk, once a week for not less than four publications, and by posting notice in not less than five of the most public places in the municipality for not less than four weeks before the general election. The clerk shall also follow the procedure necessary to have the question submitted by the proper printing of the question upon the ballots to be used at such general election.

C. 40:46-6.17.
Application for
judicial order.

4. If the clerk refuses or neglects to comply with the provisions of this act within the time or times prescribed herein, then any citizen taxpayer of the municipality may apply to a judge of the court of common pleas of the county wherein such municipality is located, for an order directing and compelling the submission of the question involved in the petition as required under this act. Such judge shall hear the matter summarily and may examine witnesses under oath and shall have the authority essential to determine whether the petition in question has been filed in accordance with the provisions of this act.

C. 40:46-6.18.
Order.

5. If such judge shall find and determine that such petition has been filed in accordance with the provisions of this act, an order shall be made setting forth the finding and determination, which order shall be filed in the office of the clerk of the county, and a certified copy of such order shall be served on the clerk of the municipality affected, and such clerk of the municipality shall forthwith proceed and arrange for the submission of the question to a vote of the electorate as provided in this act.

C. 40:46-6.19.
Failure to
comply with
order.

6. Any clerk of any municipality who fails to comply with such order of the court pursuant to section five of this act, and any public official, officer, agent or employee of such municipality who interferes with or prevents such clerk from satisfying such order, shall be guilty of a misdemeanor.

C. 40:46-6.20.
Terms defined.

7. The terms "municipal collector of taxes" and "municipal receiver of taxes" as used in this act shall be taken and construed to mean and include

the person elected or appointed as the official charged with the duty of collecting taxes upon real and personal property in each municipality of this State.

8. Nothing contained in this act shall be taken or construed to affect or repeal any of the provisions of subtitles three and four of Title 11, Civil Service, of the Revised Statutes of this State.

C. 40:46-6.21.
Construing.

9. This act shall take effect July first, one thousand nine hundred and forty-seven.

C. 40:46-6.22.
Act effective.

Approved June 26, 1947.

CHAPTER 351

AN ACT concerning the registering and recording of mortgages, and amending sections 46:17-1 and 46:17-4 of the Revised Statutes.

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

1. Section 46:17-1 of the Revised Statutes is amended to read as follows:

Section
amended.

46:17-1. Mortgages or defeasible deeds or conveyances in the nature of mortgages may be registered in the office of the county recording officer of the county in which the affected real estate is situate, upon request therefor of the mortgagee therein named but only when the execution of the same shall have been acknowledged or proved and certified in the manner prescribed by law.

Registration
authorized.

2. Section 46:17-4 of the Revised Statutes is amended to read as follows:

Section
amended.

46:17-4. The proper county recording officer shall, except when request is made by the mortgagee therein named that the same be registered as provided by section 46:17-1 of this Title, and upon the payment by the mortgagee of the same

Recorded
in full.

fees as are allowed by law for recording deeds, record in full, in the book provided for the registry of mortgages, any mortgage authorized to be registered by said section 46:17-1.

3. This act shall take effect immediately.

Approved June 26, 1947.

CHAPTER 352

AN ACT permitting the city of Passaic, in the county of Passaic, to provide for the payment of a pension to James B. Greeley.

- Preamble. WHEREAS, James B. Greeley, a resident of the city of Passaic, in the county of Passaic and State of New Jersey, has served the city in the capacity of assistant superintendent of streets, superintendent of streets and building inspector for almost thirty-five years, rendering excellent, efficient and faithful service to the city of Passaic in the performance of his duties; and
- Preamble. WHEREAS, The said James B. Greeley has become incapacitated and disabled; and
- Preamble. WHEREAS, The city of Passaic does not have in force and effect any pension that would enure to the benefit of the said James B. Greeley; and
- Preamble. WHEREAS, The general pension act after twenty-five years' service cannot apply to the said James B. Greeley because he was out of employment of the city in the months of June, July and August in the year one thousand nine hundred and twenty-seven, thus rendering his service as aforesaid noncontinuous; therefore.

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

1. The city of Passaic, in the county of Passaic and State of New Jersey is authorized to grant and pay to James B. Greeley, for the remainder of his natural life, a pension to be effective upon the passage of this act, in the sum equal to one-half of his present salary, which pension shall be paid in semimonthly installments. Authorized to pay pension.

2. If said pension is granted, the said city of Passaic shall provide, in its annual budget after the passage of this act, for the payment to the said James B. Greeley 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. Payment.

3. This act shall take effect immediately.

Approved June 26, 1947.

CHAPTER 353

AN ACT to amend "An act concerning the ascertainment and payment of compensation for property condemned or taken for public use in certain cases and the right to enter into possession of said property so taken or condemned, and supplementing Title 20 of the Revised Statutes," approved February fourteenth, one thousand nine hundred and forty-two (P. L. 1942, c. 14).

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

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

1. Whenever the State or any commission, official, board or body thereof or any county or C. 20:1-3.1. Acquiring land by condemnation for defense purposes.

Money
required.

Order for
payment.

Possession.

municipality shall determine to acquire lands, easements, rights-of-way or other property to be used by the United States of America, the State of New Jersey or said county or municipality, for furthering national or State defense, or for developing or building airports or providing surface or aerial approaches thereto, by condemnation pursuant to Title 20 of the Revised Statutes, and shall state in its petition for condemnation, in said proceedings, the sum of money estimated by said petitioner to be just compensation for the lands, easements, rights-of-way or other property so to be taken and that it is necessary for furthering national or State defense, or for developing or building airports or providing surface or aerial approaches thereto, that said petitioner enter into possession of said lands, easements, rights-of-way or other property immediately, which statements shall be verified in the same manner as the other allegations of said petition, the Justice of the Supreme Court or judge of the Circuit Court, to whom the said petition is presented, on the application for the appointment of commissioners, in said proceeding, may order that said sum of money may be paid into the Court of Chancery to be held and disposed of for the purposes of and in the manner provided by this act, and that immediately upon the payment of said sum of money into the Court of Chancery the State or said commission, official, board or body thereof or said county or municipality may enter upon and take possession of said lands, easements, rights-of-way or other property for the purposes for which the same were determined to be taken, and that notice of said payment of said sum into the Court of Chancery shall be given to the owners, occupants and persons interested in the same manner as is required by section 20:1-3 of the Revised Statutes as to notice of hearing of the petition.

2. This act shall take effect immediately.

Approved June 26, 1947.

CHAPTER 354

AN ACT relating to the possession of certain ammunition or other explosive weapons, and providing that any person who shall violate the provisions of the act may be adjudged to be a disorderly person and prescribing the punishment for any violation, and supplementing subtitle fifteen of Title 2 of the Revised Statutes.

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

1. Every person who has, or shall become, the possessor of any ammunition, explosive missile, shell, projectile, fuse designed for use with any weapon, or other explosive weapon, which is loaded or as to which it cannot be determined by casual inspection whether or not it is loaded, except such as is possessed for lawful commercial or other purposes in connection with which the use of explosives is authorized or is suitable for use in a pistol, revolver, shotgun or rifle, shall notify the police authorities of the municipality in which he resides or the State Police that the same is in his possession and present the same to them for inspection. C. 2:202-31.3.
To submit
explosives, or
ammunition
for inspection.
2. When any such ammunition, explosive missile, shell, projectile, fuse, or other explosive weapon is presented for inspection, the same shall be inspected to ascertain whether or not it is loaded or is of a dangerous character and if the same shall be found to be loaded or of a dangerous character, it shall be unloaded or be so processed as to remove its dangerous character before being returned to the possessor and if it is not possible to unload, or remove the dangerous character of, the same, it shall be destroyed. C. 2:202-31.4.
Inspected
and unloaded.
3. Any police officer knowing or having reasonable cause to believe that any person is possessed of any such ammunition, explosive missile, shell, C. 2:202-31.5.
Police officer
to investigate.

projectile, fuse, or other explosive weapon, shall investigate, under a proper search warrant when necessary, which it shall be his further duty to apply for, and shall seize the same for the purpose of inspection, unloading, processing or destruction, as provided in section two of this act, and the same shall not be returned to the possessor thereof until the same has been unloaded or so processed.

C. 2:202-31.6.
Failure to
report, dis-
orderly person.

4. Any person who has, or shall, become the possessor of any such ammunition, explosive missile, shell, projectile, fuse, or other explosive weapon, and does not, within thirty days after the effective date of this act, or within thirty days after becoming the possessor thereof, as the case may be, notify the police authorities of the municipality in which he resides or the State Police that the same is in his possession, and present the same to them for inspection, shall, upon conviction, be adjudged a disorderly person and be proceeded against and punished in accordance with the provisions of subtitle fifteen of Title 2 of the Revised Statutes.

5. This act shall take effect immediately.

Approved June 26, 1947.

CHAPTER 355

AN ACT concerning the regulation of the practice of chiropody, and amending sections 45:5-1, 45:5-3, 45:5-4, 45:5-5, 45:5-7 and 45:5-8 of the Revised Statutes.

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

Section
amended.

1. Section 45:5-1 of the Revised Statutes is amended to read as follows:

Doctor of
surgical
chiropody.

45:5-1. The term "doctor of surgical chiropody" when used in this chapter shall mean a

person who has obtained a degree of D.S.C. from a school approved by the board.

No person already admitted to practice chiropody by virtue of having graduated as a "doctor surgeon chiropodist," "doctor surgeon podiatrist" or "doctor of surgical podiatry" shall be in any manner whatsoever affected by this definition of terms.

Not affected
by definition.

2. Section 45:5-3 of the Revised Statutes is amended to read as follows:

Section
amended.

45:5-3. All persons desiring to commence the practice of chiropody in this State shall apply to the board for a license so to do. Every such applicant for examination shall present to the secretary of said board, at least ten days before the commencement of the examination at which he is to be examined, a written application on a form provided by the board, together with satisfactory proof that he is a citizen of the United States more than twenty-one years of age, is of good moral character, has obtained a certificate from the Commissioner of Education of this State, showing that before entering a school or college of chiropody he had obtained an academic education consisting of a four years' course of study in an approved public or private high school or the equivalent thereof, and has received a diploma conferring the degree of doctor of surgical chiropody from some legally incorporated school or college of chiropody of the United States requiring personal attendance, in good standing in the opinion of the board at the time of issuance of such diploma, and that prior to the receipt of such diploma from any such school or college of chiropody of the United States, he had studied chiropody not less than two full school years, including two satisfactory courses of lectures of at least eight months each, in two different calendar years in some legally incorporated American school or college of chiropody requiring personal attendance, in good standing in the opinion of said board, and wherein the curriculum of study shall include instruction in the following branches:

Application
for license,
qualifications.

Practical chiropody, chiropodial orthopædics, dermatology, diagnosis, anatomy, physiology, therapeutics in all its branches, pathology, histology, bacteriology, pharmacy and materia medica, chemistry, minor surgery and bandaging pertaining to the ailments of the feet.

Section
amended.

Qualifications
after January
1, 1934.

3. Section 45:5-4 of the Revised Statutes is amended to read as follows:

45:5-4. No person who shall have graduated after January first, one thousand nine hundred and thirty-four, shall be admitted to examination for license to practice chiropody unless, in addition to the requirements of section 45:5-3 of this Title he shall prove further to the board that after the receipt of the diploma conferring the degree of doctor of surgical chiropody he had served an internship in a duly licensed clinic, connected or affiliated with a school or college of chiropody and approved by the board, for one full school year of not less than eight months, consisting of a minimum number of four hundred and eighty hours devoted to the practice of chiropody in all its branches.

Section
amended.

Qualifications
after January
1, 1938.

4. Section 45:5-5 of the Revised Statutes is amended to read as follows:

45:5-5. No person who shall have graduated after January first, one thousand nine hundred and thirty-eight, shall be admitted to examination for license to practice chiropody unless in addition to the above requirements, as set forth in section 45:5-3 of this Title, he shall prove further to the said board that prior to the receipt of diploma conferring the degree of doctor of surgical chiropody, he had studied chiropody not less than three full school years, including three satisfactory courses of at least eight months each, in three different calendar years in some legally incorporated American school or college of chiropody requiring personal attendance, in good standing in the opinion of said board, and wherein the curriculum of study shall include instructions as provided in said section 45:5-3, and that after the receipt of such

diploma, as aforesaid, he had served an internship in a duly licensed clinic, connected or affiliated with a school or college of chiropody and approved by said board, for one full school year of not less than eight months, consisting of a minimum number of four hundred and eighty hours devoted to the practice of chiropody in all its branches.

5. Section 45:5-7 of the Revised Statutes is amended to read as follows: Section amended.

45:5-7. All examinations shall be written in the English language, but the board, in its discretion, may use supplementary oral or practical examinations, either of the whole class or of individuals. The examinations shall be in all the subjects as taught and practiced in the legally incorporated schools or colleges of chiropody conferring the degree of doctor of surgical chiropody in good standing in the opinion of the board. Said application and examination papers shall be deposited in the files of the said board, and they shall be prima facie evidence of all matters therein contained. All licenses shall be signed by the president and secretary of the board and shall be attested by the seal thereof. Scope of examination.

If the examination is satisfactory, the board shall issue a license entitling the applicant to practice chiropody in this State. License issued.

“Chiropody” or “practice of chiropody” is defined to be the diagnosis of or the holding out of a right or ability to diagnose any ailment of the human foot, or the treatment thereof or the holding out of a right or ability to treat the same by any one or more of the following means: local medical, mechanical, minor surgical, manipulative and physiotherapeutic or the application of external medical or any other of the aforementioned means except minor surgical and local medical to the lower leg and ankle for the treatment of a foot ailment: not including, however, the treatment of tuberculosis, osteomyelitis, malignancies, syphilis, diabetes, tendon transplantations, bone resections, amputations, fractures, dislocations, the treatment Chiropody defined.

of varicose veins by surgery or injection, the administration of anesthetics other than local, the use of radium, the use of X-ray except for diagnosis, or the treatment of congenital deformities by the use of a cutting instrument or electro-surgery. The term "local medical" hereinbefore mentioned shall be construed to mean the prescription or use of a therapeutic agent or remedy where the action or reaction is intended for a localized area or part.

Local medical defined.

License displayed.

Reciprocity, fee.

Proviso.

Proviso.

Proviso.

Every person practicing chiropody under this act shall at all times conspicuously display in his place of practice his license and yearly registration to practice. It shall be unlawful to practice chiropody in this State without so displaying such license and registration. Any applicant for a license to practice chiropody who has been a legal resident of this State for at least six months immediately prior thereto and upon proving that he has been examined and licensed by the examining and licensing board of another State, territory of the United States, or the District of Columbia may in discretion of the board and on the basis of one New Jersey chiropodist for one of such State, territory, or the District of Columbia be granted a license to practice chiropody without further examination upon payment to the treasurer of the board a license fee of one hundred dollars (\$100.00); *provided*, such applicant shall furnish proof that he can fulfill the requirements demanded in the other sections of this chapter relating to applicants for admission by examinations; *and provided further*, that the laws of such State, territory or the District of Columbia accords equal reciprocal rights to a licensed chiropodist of this State who desires to practice his profession in such State, territory or the District of Columbia; *and provided further*, that said applicant has been in lawful and ethical practice of chiropody in the State, territory or District of Columbia from which he applies for five consecutive years next prior to filing his application. In any such application for a license without examination, all questions of aca-

demic requirements of other States, territories or the District of Columbia shall be determined by the Commissioner of Education of this State.

The board, in its discretion, may grant a license without further examination to any person whose previous license has been revoked under section 45:5-8 of the Revised Statutes and upon payment to the treasurer of the board a license fee of one hundred dollars (\$100.00). May grant license, fee.

6. Section 45:5-8 of the Revised Statutes is amended to read as follows: Section amended.

45:5-8. The board may refuse to grant or may revoke, or may suspend a license for any of the following causes: Grounds for revoking or suspending license.

Chronic and persistent inebriety, or the habitual use of narcotics.

Conviction of crime involving moral turpitude; or where any licensee or applicant for license has pleaded non vult contendere, or non vult to any indictment, information, allegation or complaint, alleging the commission of a crime involving moral turpitude or where any licensee or applicant for license presents to the board any diploma, license or certificate that shall have been obtained, signed or issued unlawfully or under fraudulent representation. The record of conviction or the entry of such a plea in any court of this State or any other State or in any of the courts of the United States or any foreign country, shall be sufficient warrant for the revocation or suspension of a license.

Conviction in a court of competent jurisdiction of a high misdemeanor.

Fraudulently advertising.

Practicing chiropody under a name other than that under which he has a license to practice chiropody or having an unlicensed person practice chiropody under his name.

Use by a chiropodist of the words "clinic," "infirmary," "hospital," "school," "college," "university," or "institute" in English or any other language in connection with any place where chiropody may be practiced or demonstrated.

- Hearing. Before a license is refused, revoked or suspended under the provisions of this section, the accused shall be furnished with a copy of the complaint, and given a hearing before the board in person or by attorney; and any person who, after such refusal or revocation or suspension of license, attempts or continues the practice of chiropody shall be subject to the penalties hereinafter prescribed.
- Sections severable. 7. If any phrase, clause, section or part of this act shall be determined to be invalid in a court of competent jurisdiction, such part shall be excised and the rest of the act shall be valid and effectual.
- Repealer. 8. All acts and parts of acts inconsistent with the provisions of this act are repealed.
9. This act shall take effect immediately.
- Approved June 26, 1947.

CHAPTER 356

AN ACT concerning official certificates of searches for municipal liens, and amending sections 54:5-13 and 54:5-17 of the Revised Statutes.

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

Section amended. 1. Section 54:5-13 of the Revised Statutes is amended to read as follows:

Certificate to include statement of tax sales. 54:5-13. The certificate provided for in section 54:5-12 of this Title shall include a statement of all municipal liens and outstanding certificates of tax sale, whether held by the municipality or not, made at any time prior to the date of its certification and not redeemed at such date as shown on the records of the municipality, and in the case of a continuation search shall indicate whether the liens, if any, shown in the original certificate shall have been paid and satisfied or remain in force.

2. Section 54:5-17 of the Revised Statutes is amended to read as follows: Section amended.

54:5-17. A bona fide purchaser, lessee or mortgagee who shall acquire for a valuable consideration an interest in lands covered by an official tax search and in reliance on said search shall hold such interest free from any municipal lien and any outstanding certificate of tax sale held by the municipality and any outstanding certificate of tax sale not held by the municipality and not yet recorded within the three months period from date of sale allowed by section 54:5-51 of the Revised Statutes and not shown on that search, and it shall be the duty of the municipality to obtain at its own cost and expense the discharge of any such outstanding certificate of tax sale not held by the municipality not shown on that search. Purchaser protected.

3. This act shall take effect immediately.

Approved June 26, 1947.

CHAPTER 357

AN ACT to amend and supplement "An act providing for the escheat of certain unclaimed personal property," approved April twenty-fifth, one thousand nine hundred and forty-six (P. L. 1946, c. 155).

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 term "personal property" as used in this act shall mean and include moneys, negotiable instruments, choses in action, interest, debts or demands due to the escheated estate, stocks, bonds, deposits, machinery, farm crops, live stock, fix- C. 2:53-15. Personal property defined.

tures, and every other kind of tangible or intangible property and the accretions thereon, up until the time of the filing of the bill of escheat, but shall not mean and include real property or property in the custody of any court in this State, nor any personal property covered by chapter one hundred ninety-nine of the laws of one thousand nine hundred and forty-five.

Application
and use of
words.

Unless a different meaning clearly appears from the context, the word, phrase or term "owner", "beneficial owner", "person", "person having custody or possession", "person having any interest", "person entitled to", or any word, term or phrase of similar import, shall mean, include and refer to corporations, companies, associations, societies, firms, partnerships, joint stock companies, fiduciaries of any nature, as well as individuals.

Section
amended.

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

C. 2:53-17.
Unknown's
property
to escheat.

3. Whenever the owner, beneficial owner, or person entitled to any personal property within this State, has been or shall be and remain unknown for the period of fourteen successive years, or whenever the whereabouts of such owner, beneficial owner or person, has been or shall be and remain unknown for the period of fourteen successive years, or whenever any personal property wherever situate has been or shall be and remain unclaimed for the period of fourteen successive years, then, in any such event, such personal property shall escheat to the State.

Section
amended.

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

C. 2:53-18.
Court of
jurisdiction.

4. The Court of Chancery shall have jurisdiction in all cases where an escheat has occurred or shall occur under the provisions of this act.

Section
amended.

4. Section seven of the act of which this act is amendatory is amended to read as follows:

C. 2:53-21.
Proceedings
by petition.

7. The proceedings in the Court of Chancery shall be by petition, in the name of the State of New Jersey, which petition shall set out that cer-

tain personal property therein designated has escheated to the State of New Jersey under the provisions of this act, and that the defendant named in such petition has custody or possession of such personal property. Such petition shall contain such other information as may be pertinent to the issue and shall petition the court to enter a decree escheating the personal property mentioned in said petition to the State of New Jersey. Such petition may describe in general terms the type or kind of such personal property, and may set forth:

Contents
of petition.

(a) That the defendant named in such petition has custody or possession of such personal property, and that the owner of, beneficial owner of, or person entitled to, the same has been and remains unknown for the period of fourteen successive years; or

(b) That the whereabouts of such owner, beneficial owner or person entitled to such personal property has been and remains unknown for the period of fourteen successive years; or

(c) That such personal property of such owner has been and remains unclaimed for the period of fourteen successive years; or

(d) That the owner of such personal property has died intestate without heirs or known kindred capable of inheriting the same and without leaving a surviving spouse.

Such petition may combine more than one of the above contingencies and relate to more than one person. The person having possession of such personal property may, after the filing of such petition, be required by an order of the Court of Chancery to furnish to the Attorney-General, or his deputy appointed to prosecute the action, all information such person having possession of such personal property may have with relation to the last known address of any person having any interest in, together with any other information relating to, such personal property.

Order requiring answer.

The Court of Chancery shall, upon the filing of such petition, make an order requiring the defendant to answer the petition within a time therein limited. Such order shall contain such other directions as the court may deem appropriate for the speedy determination of the cause, the protection of the property, or for the disclosure of information pertinent to the prosecution of the cause.

Service.

A copy of the petition and order shall be served upon the defendant in the manner provided in the said order, whereupon the defendant shall, within the time limited, answer said petition and comply with said order. Upon the filing of defendant's answer, and his compliance with such order, the court shall, by a further order, designate a time and place for the hearing of said petition.

Notice.

A notice containing a summary of the order designating the time and place of hearing, as approved by the court shall be published in a manner directed by the court and shall also be published once a week for three successive weeks in a newspaper of general circulation designated by the court; *provided, however*, that in the event the value of the personal property of any one owner is less than fifty dollars (\$50.00), publication may be dispensed with if the court so directs. Such notice shall direct that any person who may claim to be entitled to the personal property mentioned in the petition, or to any part thereof or interest therein, shall file with the court his claim in writing, at least five days prior to the date fixed for the hearing.

Proviso.

Section amended.

5. Section eight of the act of which this act is amendatory is amended to read as follows:

C. 2:53-22.
File claim in answer to petition.

8. Any person claiming to be entitled to the personal property described in the petition, or to any part thereof, or to any interest therein, shall file his claim in the general form of an answer to the petition, which answer shall set forth in such detail as the court may require why the answering party contends that the property mentioned in the petition should not escheat to the State and, if the

answering party shall claim any right to or interest in said property, the nature thereof; and the court shall at the time of hearing take such evidence as may be proper, and proceed to determine the cause and enter such final decree as shall be equitable and just and in conformity with the provisions of this act. Such decree may determine the title to such personal property, and where the court shall find that such personal property, in whole or in part, has escheated to the State the decree shall so declare, and such personal property, or so much of it as the court shall decree, shall thereupon escheat to the State.

In the event no answering pleadings be filed within the time fixed by order of the court, the court may proceed upon the petition alone and enter a decree declaring that the property described in the petition has escheated to the State.

All the proceedings outlined herein shall be in conformity with the rules and practice of the Court of Chancery except as herein otherwise specified.

6. Any decree entered pursuant to the act to which this act is a supplement, shall automatically operate as a full, absolute and unconditional release and discharge of the person having such property in possession or custody from any and all claim, demand, or liability to any person whatever other than the State Treasurer with respect to such property, and such decree may be pleaded as an absolute bar to any action brought against such person with respect to such property by any person other than the State Treasurer.

C. 2:53-23.1.
Operation
of decree.

7. This act shall take effect immediately.

Approved June 26, 1947.

CHAPTER 358

AN ACT concerning investments by insurance companies, and amending sections 17:24-1 and 17:24-2 of the Revised Statutes.

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

Section
amended.

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

Investments
by insurance
companies.

17:24-1. Any insurance company of this State, for the purpose of investing its capital, surplus and other funds, or any part thereof, may:

a. Purchase or hold as collateral security or otherwise and sell and convey any bonds or public stock issued, created or guaranteed by the United States, or any territory or insular possession thereof, or by this State, or by any of the other States of the United States or the District of Columbia, or the Dominion of Canada or any of the provinces thereof, or by any of the incorporated cities, counties, parishes, townships or other municipal corporations situated in any of the countries or subdivisions thereof hereinabove mentioned; or bonds authorized to be issued by any commission appointed by the Supreme Court of this State;

Proviso.

b. Purchase or hold real estate for business or residential purposes (other than as provided for in sections 17:19-8 to 17:19-12, inclusive, of this Title) as an investment for the production of income, and improve or otherwise develop such real estate; *provided*, that if the commissioner shall decide, after due hearing upon notice to any such insurance company, that the interests of such insurance company's policyholders require that any specified real estate so purchased or held be disposed of, then such insurance company shall dispose of such real estate within such reasonable time as the commis-

sioner shall direct; *and provided further*, the aggregate amount of such investments and all other real estate held by such insurance company, except real estate held as provided for in said sections 17:19-8 to 17:19-12, inclusive, and except such real estate as may be necessary for its accommodation in the convenient transaction of its business, shall not exceed five per centum (5%) of the total admitted assets of such insurance company. The term "real estate" as used in this subsection "b" shall include a leasehold of real estate for business or residential purposes having an unexpired term of not less than twenty years, inclusive of the term which may be provided by any enforceable option of renewal. Income produced by investment in any such leasehold shall be applied by such insurance company in a manner calculated to amortize the amount invested for acquisition and improvement thereof within a period not exceeding eight-tenths of such unexpired term of the leasehold following such acquisition or improvement, or within a period of forty years thereafter, whichever is less;

c. Invest in bonds or notes secured by mortgages or trust deeds on unencumbered fee simple or leasehold real estate, which shall include areas above the surface of the ground but not contiguous thereto, or any interest therein, located within said States, the District of Columbia, or the Dominion of Canada, worth at least one-half more than the sum invested or loaned; or invest in bonds or notes secured by mortgages or trust deeds or unencumbered fee simple or leasehold real estate or any interest therein so located worth less than as above provided but worth at least one-third more than the sum so invested, *provided*, (1) that any such bonds or notes so secured shall provide for amortization payments to be made by the borrower on the principal amount thereof at least once in each year, and (2) that in every such case such insurance company shall carry as a reserve any amount by which such investment or loan, or balance thereof remaining after such amortization payments, may exceed

the amount which could otherwise have been so invested or loaned as hereinabove provided. No loan may be made on leasehold real estate unless the terms of such loan provide for amortization payments to be made by the borrower on the principal thereof at least once in each year in amounts sufficient to completely amortize the loan within a period not exceeding nine-tenths of the term of the leasehold unexpired at the time the loan is made. For the purposes of this section fee simple or leasehold real estate or any interest therein shall not be deemed to be encumbered within the meaning of this section by reason of the existence of taxes or assessments that are not delinquent, easements, profits or licenses, nor by reason of building restrictions or other restrictive covenants, nor when such real estate or interest therein is subject to lease in whole or in part whereby rents or profits are reserved to the owner; *provided*, that the security created by the mortgage or trust deed on such real estate or interest therein securing such bond or note is a first lien upon such real estate or interest therein;

d. Invest in bonds or notes evidencing loans to veterans if the full amount of any such loan is guaranteed by the Government of the United States or by the Administrator of Veterans' Affairs pursuant to the Servicemen's Readjustment Act of one thousand nine hundred and forty-four, as heretofore or hereafter amended; and in the case of loans so guaranteed for less than the full amount thereof, the maximum amount which may be loaned or invested by any such insurance company pursuant to the provisions of any law of this State shall be increased by the amount so guaranteed;

e. Lend on or purchase mortgage or collateral trust bonds of railroad companies organized under the laws of said States, or the District of Columbia, or the Dominion of Canada, or operated wholly or partly in such States, district or country; or equipment trust certificates payable within sixteen

years from their date of issue in annual or semi-annual installments beginning not later than the fifth year after such date, and which certificates are a first lien on the specific equipment pledged as security for the payment thereof, which are either the direct obligations of such railroad companies, or are guaranteed by them, or are executed by trustees holding title to the equipment; or certificates of receivers of any corporation where such purchase is necessary to protect an investment in the securities of such corporation theretofore made under authority of chapters seventeen to thirty-three of this Title (§17:17-1, et seq.); or the bonds or other evidences of indebtedness of public utility companies organized under the laws of the Dominion of Canada or any province thereof; or the capital stock, bonds, securities or evidences of indebtedness created by any corporation of the United States or of any State; *provided*, that no purchase of any bond or evidence of indebtedness which is in default as to interest shall be made by such company unless such purchase is necessary to protect an investment theretofore made under authority of said chapters seventeen to thirty-three in the securities of the corporation which issued, assumed or guaranteed such bond or evidence of indebtedness in default; *provided, further*, that no purchase of the stock of any company of a class on which dividends have not been paid during each of the past five years preceding the time of purchase shall be made unless the stock so purchased shall represent a majority in control of all the stock then outstanding; *and provided further*, that in the case of the stock of a corporation resulting from or formed by merger or consolidation less than five years prior to such purchase, each consecutive year next preceding the effective date of such merger or consolidation during which dividends shall have been paid by any one or more of its constituent corporations on any or all classes of its or their stock in an aggregate amount sufficient to have paid dividends on that class of stock

of the existing corporation whose stock is to be purchased, had such corporation then been in existence, shall be deemed a year during which dividends have been paid on such class of stock; *provided, however*, that nothing herein contained shall prohibit the purchase of stock of any class which is preferred, as to dividends, over any class the purchase of which is not prohibited by this section; *and provided further*, that no purchase of its own stock shall be made by any insurance company except for the purpose of the retirement of such stock or except as specifically permitted by any law of this State applicable by its terms only to insurance companies.

2. Section 17:24-2 of the Revised Statutes is amended to read as follows:

17:24-2. No life insurance company of this State shall purchase or acquire more than twenty per centum (20%) of the common stock, or of any other class of stock which entitles the holder thereof to vote at all elections of directors, of any one corporation, unless it be a municipal corporation, nor shall the amount invested by any life insurance company in the stock of any one corporation exceed two per centum (2%) of the assets of said life insurance company, nor shall the amount invested in the bonds, equipment trust certificates and receiver's certificates of any one corporation exceed ten per centum (10%) of said assets, except that nothing herein contained shall prevent any company from holding as much as fifty thousand dollars (\$50,000.00), par value, of the bonds of any corporation, when none of the stock of said corporation is held by said company. No loan shall be made or retained on any of the securities in which investment is authorized by this chapter, except the bonds or stock issued or created by the United States or this State, exceeding ninety per centum (90%) of the market value thereof; and no such life insurance company shall at any time lend in the aggregate more than two per centum (2%) of its assets upon the security of the stock of any

one corporation, nor more than ten per centum (10%) of its assets upon the security of the bonds of any one corporation.

No such life insurance company shall keep on deposit in any one bank or trust company for more than ten days consecutively a sum exceeding three per centum (3%) of the assets of the said life insurance company, but this provision shall not in any case limit the deposit to less than one hundred thousand dollars (\$100,000.00); and no loan shall be made by any such company on its own stock.

Restrictions
on deposits.

No investment shall be made by any life insurance company, unless the same shall first have been authorized by the board of directors, or by a committee thereof charged with the duty of supervising such investment. No such company shall underwrite or participate in any underwriting of the purchase or sale of securities or property, or enter into any transaction for such purchase or sale on account of such company jointly with any other person, firm or corporation, nor shall any such company enter into any agreement to withhold from sale any of its property, but the disposition of its property shall be at all times within the control of its board of directors; any company, however, shall be free to subscribe for any proposed issue of bonds of the United States, or of any other bonds of the character hereinbefore permitted, provided such subscription be made for a definite amount and at a definite price.

Investments
authorized
by directors.

3. This act shall take effect immediately.

Approved June 26, 1947.

CHAPTER 359

AN Act concerning the leasing of lands for shell fish culture, and amending section 50:1-23 of the Revised Statutes.

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

Section
amended.

1. Section 50:1-23 of the Revised Statutes is amended to read as follows:

Leasing lands
for shell fish
culture,
restrictions.

50:1-23. The board may lease to applicants therefor any of the lands of the State under the tidal waters thereof, to be exclusively used and enjoyed by such lessee for the planting and cultivating of oysters and clams; except that no lands shall be leased above the southwest line in the Delaware bay, nor in any creek tributary to Delaware bay, nor any lands under the waters of Delaware bay southwesterly of a line northwest from a cluster of old piling at a point formerly known as the mouth of Green creek, Cape May county, to the intersection of such line with a line running direct from the mouth of Dennis creek to Brandywine lighthouse, nor the beds at the mouth of the Tuckahoe and Great Egg Harbor rivers, nor the graveling beds at the mouth of Mullica river, Parker's beds in Parker's cove, Forked river beds, Cedar creek beds and Sloop creek beds in Barnegat bay, nor any lands under the waters of the Mullica river above a line extending in a westerly direction from the south end of Deep Point; *provided, however*, that leases may be granted for lands heretofore leased in said area in the Mullica river.

Proviso.

2. This act shall take effect immediately.

Approved June 26, 1947.

CHAPTER 360

AN ACT to amend "An act concerning insurance, regulating the making and applying of insurance rates, and providing for the licensing of rating organizations, and repealing sections 17:29-1, 17:29-2, 17:29-3, 17:29-4, 17:29-5, 17:29-6, 17:29-8 and 17:29-9 of the Revised Statutes," approved March ninth, one thousand nine hundred and forty-four (P. L. 1944, c. 27).

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

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

25. The provisions of this act shall not apply to any policy on contract of reinsurance; any policy of insurance against loss or damage to or legal liability in connection with property located outside this State, or any motor vehicle or aircraft principally garaged and used outside of this State, or any activity wholly carried on outside this State; insurance of vessels or craft, their cargoes, marine builder's risks, marine protection and indemnity, or other risks commonly insured under marine, as distinguished from inland marine, insurance policies, nor to such classes of inland marine insurance for which no class rates, rating plans or special rates are customarily fixed by a rating bureau or bureaus; accident, health, or life insurance; annuities; title insurance; credit insurance; mortgage guaranty insurance; or workmen's compensation and employer's liability insurance. The provisions of this act shall not apply to hospital service or medical service corporations, investment companies, mutual benefit associations, or fraternal beneficiary associations. The commissioner may from time to time make investigations with respect to classes of risks of the kinds C. 17:29A-25.
Provisions not to apply.

of insurance herein exempted. The commissioner may call upon all authorized insurers and rating organizations rating such risks within this State to furnish such information relative thereto as he may deem necessary.

Approved June 26, 1947.

CHAPTER 361

AN ACT to amend "An act with respect to the establishment of plant management commissions in certain municipalities in this State for the management and disposition of industrial plants acquired by such municipalities and providing for the organization and powers of such commissions," approved May second, one thousand nine hundred and forty-six (P. L. 1946, c. 245).

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

Section
amended.

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

C. 40:60-25.18.
To appoint a
commission
to manage
property.

1. In any municipality which shall have heretofore purchased or shall hereafter purchase property pursuant to the provisions of chapters two hundred six or two hundred seven of the laws of one thousand nine hundred and forty-four, and all or a portion of such property is industrial property, the governing body of the municipality, to wit, that governmental board or body of the municipality having control or jurisdiction over its financial affairs, may by resolution authorize the mayor or other chief executive of such municipality to appoint a commission (hereinafter referred to as the "commission") to manage, maintain, operate, repair, rehabilitate, sell, lease, and if advis-

able, improve the industrial and other property so acquired or to be acquired (hereinafter in this act referred to as the "property"), and to designate a chairman of such commission.

2. This act shall take effect immediately.

Approved June 26, 1947.

CHAPTER 362

AN ACT concerning municipalities and providing for tenure of service for certain assessors in certain cities operating under municipal manager form of government in this State.

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

1. When any assessor, who is employed by any city operating under the municipal manager form of government and having a population of more than forty-five thousand inhabitants, has served as such assessor in such municipality for a period of fifteen consecutive years, his services as such assessor shall be continued during good behavior and efficiency; *provided*, that the time any such assessor has served as assessor in the city in which he is employed at the time this act shall take effect shall be counted in determining such period of employment.

C. 40:83-8.
Assessor given
tenure of office.

Proviso.

2. No such assessor under the tenure referred to in section one of this act shall be dismissed except for inefficiency, incapacity, conduct unbecoming an assessor or other just cause and after a written charge of the cause or causes has been preferred against him, signed by the person or persons making the same, and filed with the municipal clerk of the city in which the service is being rendered, and after the charge has been examined into and

C. 40:83-9.
Procedure
for dismissal.

found true in fact by the municipal council, at a public hearing held upon reasonable notice to the person charged, who may be represented by counsel at the hearing. Charges may be filed by any person whether a member of such municipal council or not.

3. This act shall take effect immediately.

Approved June 30, 1947.

CHAPTER 363

AN ACT concerning the several counties and municipalities, regulating employment and compensation of paid officers and employees therein, amending section 40:11-17 of the Revised Statutes and "An act concerning the several counties and municipalities, regulating employment and compensation paid officers and employees therein, prohibiting the filling of additional offices or granting or increasing any pension," approved July eighth, one thousand nine hundred and forty (P. L. 1940, c. 181).

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

Section
amended.

1. Section 40:11-17 of the Revised Statutes is amended to read as follows:

1930 census
not to affect
certain salaries
or offices.

40:11-17. The promulgation or taking effect of the Federal census for the year one thousand nine hundred and thirty, or the passage of an act for the reclassification of counties of this State, shall not operate to increase or decrease the salary or compensation of any officer or employee of any county or municipality except the salaries of county clerks, sheriffs and surrogates of the several counties. All such officers and employees shall

continue to receive salary or compensation at the rate received by them on April twenty-seventh, one thousand nine hundred and thirty-one, except as aforesaid.

The promulgation or taking effect of said census shall not operate to fill, in the several counties and municipalities, any additional offices or employments, or grant any pension or increase any pension paid on the date above mentioned.

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

Section
amended.

1. The promulgation or taking effect of the Federal census for the year one thousand nine hundred and forty, or the passage of an act for the reclassification of counties of this State, shall not operate to increase or decrease the salary or compensation of any officer or employee of any county or municipality except the salaries of county clerks, sheriffs and surrogates of the several counties. All such officers and employees shall continue to receive salary or compensation at the rate received by them at the time of the effective date of this act, except as aforesaid.

C. 40:11-17.1
1940 census
not to affect
salaries
or offices.

The promulgation or taking effect of said census shall not operate to fill, in the several counties and municipalities, any additional offices or employments, or grant any pension or increase any pension paid on the date above mentioned.

Approved June 30, 1947.

CHAPTER 364

AN ACT concerning workmen's compensation, relating to special benefits in certain cases to veterans receiving subsistence payments in connection with educational training on the job, and supplementing chapter fifteen of Title 34 of the Revised Statutes.

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

C. 34:15-12.1.
To be given
special
benefits.

1. Any employee receiving subsistence payments from the Veterans Administration of the Federal Government under the Act of Congress of June 22, 1944, known as the Servicemen's Readjustment Act of 1944, or any act amendatory thereof or supplemental thereto, as a veteran, in connection with educational training on the job, and who obtains compensation pursuant to chapter fifteen of Title 34 of the Revised Statutes, and whose wages were less than an amount entitling the employee to the maximum rate of compensation, shall be entitled to the special benefits provided by this act upon the following conditions:

(a) The accident to the employee must have occurred subsequent to July first, one thousand nine hundred and forty-six;

(b) The accident must have occurred under circumstances entitling the employee to compensation under said chapter;

(c) The employee's wages must have been less than thirty-seven dollars and fifty cents (\$37.50) per week;

(d) The employee's wages must have been received by him during the period for which the subsistence was paid;

(e) The compensation must have included compensation for a permanent disability, either partial or total.

2. Any such employee shall be entitled to receive a special benefit payable from the fund provided for by sections 34:15-94 and 34:15-95 of the Revised Statutes.

C. 34:15-12.2.
Fund for
payment.

3. The amount of such special benefit shall be computed by determining the difference between the amount of the compensation for such permanent disability and the amount which such compensation would have been had the employee received such subsistence payments in connection with educational training as wages from his employer instead of from the said Veterans Administration.

C. 34:15-12.3.
Computing
amount.

4. Such special benefits shall be applied for, ordered paid, and payable in similar manner as other payments from said fund to employees are applied for, ordered paid, and payable.

C. 34:15-12.4.
How applied
for.

5. This act shall apply to accidents occurring after July first, one thousand nine hundred and forty-six.

C. 34:15-12.5.
Application
of act.

6. Applications for such special benefits must be made not later than within one year from the date of the last payment of compensation to the employee.

C. 34:15-12.6.
Time for filing
application.

7. This act shall take effect immediately.

Approved June 30, 1947.

CHAPTER 365

AN ACT concerning municipalities in relation to the vacation of portions of public streets, highways, lanes or alleys measured from a horizontal plane a specified distance above their surfaces and continuing upward, and amending section 40:67-1 of the Revised Statutes.

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

- | | |
|--|--|
| Section amended. | 1. Section 40:67-1 of the Revised Statutes is amended to read as follows: |
| Ordinances: | 40:67-1. The governing body of every municipality may make, amend, repeal and enforce ordinances to: |
| Street lines; | a. Ascertain and establish the boundaries of all streets, highways, lanes, alleys and public places in the municipality, and prevent and remove all encroachments, obstructions and encumbrances in, over or upon the same or any part thereof; |
| Fixing grades, vacating streets, etc.; | b. Establish, change the grade of or vacate any public street, highway, lane or alley, or any part thereof, including the vacation of any portion of any public street, highway, lane or alley measured from a horizontal plane a specified distance above its surface and continuing upward; vacate any street, highway, lane, alley, square, place or park, or any part thereof, dedicated to public use but not accepted by the municipality, whether or not the same, or any part, has been actually opened or improved; accept any street, highway, lane, alley, square, beach, park or other place, or any part thereof, dedicated to public use, and thereafter, improve and maintain the same. The word "vacate" shall be construed for all purposes of this article to include the release of all public rights, resulting from any dedication of lands not accepted by the municipality; |

c. Prescribe the time, manner in which and terms upon which persons shall exercise any privilege granted to them in the use of any street, highway, alley or public place, or in digging up the same for laying down rails, pipes, conduits, or for any other purpose whatever; Use of streets;

d. Prevent or regulate the erection and construction of any stoop, step, platform, window, cellar door, area, descent into a cellar or basement, bridge, sign, or any post, erection or projection in, over or upon any street or highway, and for the removal of the same at the expense of the owner or occupant of the premises where already erected; Projections and encroachments;

e. Cause the owners of real estate abutting on any street or highway to erect fences, walls or other safeguards for the protection of persons from injury from unsafe places on said real estate adjacent to or near such street or highway; and provide for the erection of the same by the municipality at the expense of the owner or owners of such real estate; Guarding unsafe places;

f. Regulate or prohibit the erection and maintenance of fences or any other form of inclosures fronting on any municipal street, highway, lane, alley or public place; Fences;

g. Prevent persons from depositing, throwing, spilling or dumping dirt, ashes or other material upon any street or highway or portion thereof, or causing or permitting the same to be done; Dumping in streets;

h. Regulate or prohibit the placing of banners or flags, in, over or upon any street or avenue; Display of flags.

i. Cause the territory within the municipality to be accurately surveyed and a map or maps to be prepared showing the location and width of each street, highway, lane, alley and public place, and a plan for the systematic opening of roads and streets in the future. Such map or maps may be changed from time to time; Surveys and maps;

j. Provide for the adoption and changing of a system of numbering all buildings and lots of land in such municipality, and the display upon each building of the number assigned to it, either at the House numbering;

expense of the owner thereof or of the municipality;

Street names; k. Provide for the naming and changing the names of streets and highways, and the erection thereon of signs, showing the names thereof, and guide-posts for travelers;

Parades. 1. Regulate processions and parades through the streets and highways of the municipality.

2. This act shall take effect immediately.

Approved June 30, 1947.

CHAPTER 366

AN ACT to validate sales of land at public auction by the several municipalities in this State in certain cases.

Preamble. WHEREAS, Sales of land at public auction have been made by municipalities in this State on conditions imposed and the right to impose the conditions in certain cases has been questioned notwithstanding that the conditions have been met by the purchasers and certain title companies and others have raised the question of the validity of the title of the purchasers; and

Preamble. WHEREAS, It is desirable that such titles be quieted; therefore,

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

Sales and proceedings validated. 1. All sales heretofore made of any lands and premises by any municipality at public auction of lands to which such municipality had acquired an absolute title in fee simple, and all proceedings had in connection therewith, are hereby validated and confirmed, notwithstanding that under the terms and conditions of such sales the purchaser

was required to make certain repairs, improvements or alterations to or to rehabilitate or reconstruct the said lands and premises within a certain period of time, and notwithstanding that in certain of such sales the purchaser was required also to post a bond with the municipality for the completion of the said repairs, improvements, alterations, rehabilitation or reconstruction so required, for the breach of any of such terms and conditions of sale the purchaser would forfeit all right, title and interest in and to the lands and premises purchased; *provided*, the said terms and conditions of sale were duly advertised, and the sale or sales were 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 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 the governing body of such municipality by resolution shall have determined or shall determine that the conditions of any such sale so imposed have been met and that such sale be confirmed. Proviso.

2. This act shall take effect immediately. Proviso.

Approved July 1, 1947.

CHAPTER 367

A SUPPLEMENT to "An act to provide for the creation, setting apart, maintenance and administration of a county employees' pension fund in counties having a population exceeding eight hundred thousand inhabitants," approved April eighth, one thousand nine hundred and forty-three (P. L. 1943, c. 160).

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

C. 43:10-18.26.
Retirement
for age and
service.

Proviso.

1. The board of chosen freeholders in any county of this State having a population of more than eight hundred thousand inhabitants may retire any court attendant in the office of the sheriff, and any guard, keeper, nurse and other employee engaged in the safe-keeping and care of prisoners in the county jail and the county penitentiary, who shall have served as such for a period of twenty years, and shall have reached the age of sixty-five years, and who, at that time, is a member of the employees' retirement system of such county provided for by the act of which this act is supplementary under the provisions of said act; *provided, however*, subject to the approval of the board of chosen freeholders, that any such person may be continued in his or her county employment after reaching the age of sixty-five, if the sheriff or warden of the jail or penitentiary, as the case may be, shall file a certificate with the board of chosen freeholders and the pension commission of the county, certifying that such person is in good physical and mental condition and able to fully perform his or her duties, in which event such employee shall be permitted to remain in employment for a period not exceeding one year from the date of the certificate. Such certificates may, in the discretion of the sheriff or warden, as the case may be, be renewed an-

nually until after such person shall have reached the age of seventy.

2. This act shall take effect six months after the same shall have been adopted.

C. 43:10-18.27.
Act effective.

Approved July 1, 1947.

CHAPTER 368

AN ACT to validate certain deeds or other conveyances of real property, and satisfactions or discharges of mortgages, of any dissolved corporation or of any corporation whose charter has been forfeited or has expired.

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

1. Any deed or other conveyance of real property, of any dissolved corporation or of any corporation whose charter has been forfeited or has expired by the terms thereof, and any satisfaction or discharge of any mortgage held by any such corporation, shall be good and effectual to transfer the interest or title of such corporation, in and to such real property, to the grantee or transferee therein named, or to authorize the cancellation or satisfaction of such mortgage, if the same has been executed and signed by the directors, acting as trustees in dissolution of such corporation, notwithstanding that the same was made and executed in the names of said individual directors, as such trustees, and was not made and executed in the name of such corporation or under its corporate seal; *provided*, the same is valid in all other respects and has been of record in the office of the county clerk or register of deeds of the county wherein the real estate affected is situate, for a period of at least three years.

Deeds
validated.

Proviso.

2. This act shall take effect immediately.

Approved July 1, 1947.

CHAPTER 369

AN ACT to limit the time within which proceedings may be instituted for the assessment and collection of transfer inheritance taxes; within which notice to and written consent of the director, Division of Taxation, to the transfer of property of deceased persons shall be necessary; within which the personal liability of executors, administrators, trustees, grantees, donees, vendees, devisees, legatees, heirs, next-of-kin and beneficiaries for unpaid taxes, interest and penalties shall continue; and to authorize the cancellation of assessments of taxes, interest and penalties and the destruction of returns and records relating thereto upon expiration of the period herein prescribed; and supplementing Title 54, chapter thirty-five, of the Revised Statutes.

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

C. 54:35-5.1.
Limits time
in which
proceedings
may be
instituted.

1. On the expiration of a period of twenty years after the date when any transfer inheritance tax assessed or assessable under chapters thirty-three to thirty-six of Title 54, or any amendment thereof or supplement thereto, or under chapter two hundred twenty-eight of the laws of one thousand nine hundred and nine, as amended and supplemented, became or shall become due and payable, (1) no proceeding shall thereafter be instituted to assess or collect said tax, interest or penalties chargeable thereunder; (2) no notice to, or written consent of, the director, Division of Taxation, relative to the transfer of real or personal property, as required by sections 54:35-19 and 54:35-21 of the Revised Statutes, shall be necessary; (3) the personal liability of executors, administrators, trustees, grant-

ees, donees, vendees, devisees, legatees, heirs, next-of-kin and beneficiaries for said tax, interest and penalties shall cease; and (4) the director is hereby authorized to cancel all assessments of taxes, interest and penalties, the collection of which is barred by the limitations herein provided and to destroy returns and records relating thereto which are rendered useless by the provisions of this act. Nothing herein contained, however, shall affect the rights of the State (a) under any certificate of debt, decree or judgment for taxes, interest and penalties duly recorded with the Clerk of the Supreme Court, or with any county clerk; or (b) to assess and enforce collection of any tax, interest and penalties pursuant to the terms of any bond or other agreement securing the payment of such tax, interest and penalties.

2. This act shall take effect the first day of January, one thousand nine hundred and forty-eight. C. 54:35-5.2.
Act effective.
Approved July 1, 1947.

CHAPTER 370

AN ACT concerning grants of old age assistance, and amending section 44:7-15 of the Revised Statutes.

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

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

44:7-15. At any time the county welfare board may execute and file with the clerk of the court of common pleas or register of deeds and mortgages, a certificate, in form to be prescribed by the State division, showing the amount of assistance advanced to said person, and when so filed each cer- Certificate when filed a legal claim.

tificate shall be a legal claim against both the recipient and his spouse with the same force and effect as a judgment at law, with priority over all unsecured claims except funeral expenses not to exceed one hundred fifty dollars (\$150.00).

Collection
procedure.

Where the above mentioned certificates are filed with the clerk of the court of common pleas, subsequent proceedings for the collection and satisfaction of the judgment, including issuance of execution, shall conform to the practice prevailing in the court. In counties where the above mentioned certificates are filed with the register of deeds and mortgages, the register, upon request of the county welfare board, shall execute and file with the clerk of the court of common pleas certified copies of the certificates herein described, which shall be filed in the judgment records of the court, and shall have the same force and effect as a judgment at law in that court, and may subsequently be docketed in the Supreme Court of New Jersey where lands are situate in several counties.

No levy on
real estate
when occupied.

No levy shall be made upon the real estate while it is occupied by the widow or widower, as the case may be. If the proceeds of the sale of any personalty or real estate, under the terms of this chapter, exceed the total amount paid as assistance under this chapter, such excess shall be returned to said person, and in the event of his death such excess shall be considered as the property of the deceased for proper administration proceedings. All funds reclaimed under these provisions shall be reimbursed to the county, State and Federal Government, in the same proportion as it was contributed.

May accept
voluntary
conveyance.

The county welfare board shall be empowered to accept voluntary conveyance of real or personal property in lieu of issuance of execution. All real property acquired by execution sale or voluntary conveyance may be disposed of at public sale, or by sale on sealed bids in the discretion of the county welfare board; after public advertisement at least once a week for two weeks prior to

the sale, in a newspaper published in the county; *provided, however,* that the terms, conditions and consideration for such sale shall be first approved by the State Division of Old Age Assistance. The county welfare board is hereby authorized and empowered to execute and deliver any and all documents necessary to convey title to a purchaser of such real or personal property, in exactly the same manner as any other corporate entity. Proviso.

2. This act shall take effect immediately.

Approved July 1, 1947.

CHAPTER 371

AN ACT permitting the city of Trenton, county of Mercer, State of New Jersey, to provide for the payment of a pension to Albert Walker.

WHEREAS, Albert Walker, a resident of the city of Trenton in the county of Mercer and State of New Jersey has served the city in various capacities for approximately twenty-six years, rendering excellent, efficient and faithful service to the city of Trenton, in the performance of his duties; and Preamble.

WHEREAS, The said Albert Walker has become incapacitated and is now disabled; and Preamble.

WHEREAS, The city of Trenton does not have in force and effect any pension that would inure to the benefit of the said Albert Walker; therefore, Preamble.

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

1. The city of Trenton, in the county of Mercer and State of New Jersey, is authorized to grant and pay to Albert Walker, for the remainder of Authorized to pay pension:

his natural life, a pension to be effective upon the passage of this act, in the sum of eighty-one dollars and sixty-seven cents (\$81.67) per month, being one-half of his former monthly salary, which pension shall be paid in monthly installments.

Payment.

2. If said pension is granted, the said city of Trenton shall provide, in its annual budget after the passage of this act, for the payment to the said Albert Walker of the aforementioned pension, and from the date of the passage of this act until the adoption of its next annual budget the city shall pay such pension from any fund or funds available therefor.

3. This act shall take effect immediately.

Approved July 1, 1947.

CHAPTER 372

AN ACT authorizing the sale and conveyance of certain lands belonging to the State of New Jersey in the township of Ewing and county of Mercer, to the Foxhall Realty Company, a corporation of the State of New Jersey.

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

Authorized to
sell certain
lands.

1. The State House Commission, acting for, on behalf and in the name of the State of New Jersey, is hereby authorized and empowered to sell and convey to the Foxhall Realty Company, a corporation of the State of New Jersey, for the consideration of two hundred dollars (\$200.00) certain lands situate, lying and being in the Township of Ewing, County of Mercer and State of New Jersey, bounded and described as follows: All that certain tract or parcel of land, situate, lying and being in the Township of Ewing, in the County of Mercer

Description.

and the State of New Jersey, being more particularly bounded and described as follows: Beginning at a stone set in the boundary line between the City of Trenton and the Township of Ewing, said stone being distant 140.75 feet measured on a course North $22^{\circ}-37'$ East, from a point in the Southerly line of Stuyvesant Avenue, the last mentioned point being distant 262.56 feet measured on a course North $43^{\circ}-06'$ West from a stone marking the beginning of a thirty foot radius curve connecting the Southerly line of Stuyvesant Avenue with the Westerly line of Cornwall Avenue; thence (1) South $46^{\circ}-19'$ East 568.4 feet to a point; thence (2) South $45^{\circ}-30'$ East 124.93 feet to a point; thence (3) North $46^{\circ}-54'$ East 12.57 feet to a point; thence (4) North $43^{\circ}-06'$ West 659.55 feet to a point; thence (5) North $57^{\circ}-21'-30''$ West 51.11 feet to a point; thence (6) South $22^{\circ}-37'$ West 40.73 feet to a point and place of beginning, containing 0.488 acres, upon the agreement by the Foxhall Realty Company to move, at its own expense, all or any portion of the existing fence now on the premises which forms a part of the boundary line of the lands of the State Home for Girls and, if necessary, to replace the same at the new boundary line in as good condition as the same now exists on the premises and upon such other terms, conditions and provisions as shall be determined by the State House Commission not inconsistent with the provisions hereof.

2. This act shall take effect immediately.

Approved July 1, 1947.

CHAPTER 373

AN ACT concerning settlement and relief of poor in counties which have adopted or shall adopt the provisions of chapter four of Title 44 of the Revised Statutes, and amending section 44:4-1 of the Revised Statutes.

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

Section
amended.

1. Section 44:4-1 of the Revised Statutes is amended to read as follows:

Terms defined

44:4-1. As used in this chapter:

“Almshouse” means a place for the maintenance of the poor at the public expense of a county or municipality, prior to the establishment of a welfare-house;

“Commissioner” means the commissioner of institutions and agencies;

“County adjuster” means the official of that designation authorized to act in the cases of commitment or admission of insane persons to State or county hospitals for the insane;

“County welfare board” means the board of a single county authorized to have charge, supervision and control of a county welfare-house and the administration of the settlement and relief of the poor for such county and to supervise through a director of welfare such work for or in relation to the poor as directed or authorized;

“Director of welfare” means an employee of a county welfare board with authority to act for it and under its direction, and to act for and in lieu of overseers where there are none, and perform the functions of and replace the office of overseer;

“May” shall be construed to be permissive;

“Municipality” shall not include, in meaning, a county, unless otherwise indicated by the context, but shall include any city, borough, township, town,

village or municipality governed by an improvement commission.

"Permanent or indoor poor," as found in this chapter, shall mean a disabled person who has been diagnosed by a regular practicing physician as being unemployable due to a mental or physical condition, providing such condition is in the physician's opinion of permanent nature, and further providing that the disabled person is not eligible for any other type of categorical aid.

"Poor person" means a permanently disabled person who is without means of support as defined above.

"Public charge" means a person to whom it is necessary to furnish proper relief as provided in this chapter;

"Settlement of a person" means his right under the provisions of this chapter to relief or maintenance and support in any county or counties;

"State board" means the State Board of Control of Institutions and Agencies;

"Temporary or outdoor poor" means poor persons who can be relieved temporarily at their domicile or without being maintained in an almshouse or welfare-house;

"Welfare-house" means a place where the poor are maintained at the public expense under the superintendence of a county welfare board in any county.

"Disabled person" means any person entitled to relief under this chapter.

2. This act shall take effect immediately.

Approved July 1, 1947.

CHAPTER 374

AN Act authorizing housing authorities to agree to make payments in lieu of taxes, undertake housing research and studies, make agreements to secure contributions from the Federal Government and co-operate with other housing authorities and to supplement "An act relating to the creation of local housing authorities, including the definition of their functions and powers, and to public housing projects undertaken by public bodies, and adding a new chapter to the Revised Statutes, to be known as chapter fourteen-a of Title 55," approved March eighth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 19).

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

C. 55:14A-27.
Payments in
lieu of taxes.

1. Notwithstanding any limitation in this or other law, any housing authority may agree to make such payments in lieu of taxes to the municipality or county, the State or any political subdivision thereof (which payments such bodies are hereby authorized to accept), as the authority shall find to be consistent with the maintenance of the low-rent character of housing projects or the achievement of the purposes of the Local Housing Authorities Law.

C. 55:14A-28.
Study and
analyses of
housing needs.

2. In addition to all its other powers, any housing authority may, within its area of operation, undertake and carry out studies and analyses of the housing needs, and of the meeting of such needs (including data with respect to population and family groups and the distribution thereof according to income groups, the amount and quality of available housing and its distribution according to rentals and sales prices, employment, wages and

other factors affecting the local housing needs and the meeting thereof) and make the results of such studies and analyses available to the public and the building, housing and supply industries; and may also engage in research and disseminate information on the subject of housing.

3. In addition to the powers conferred upon an authority by other provisions of the Local Housing Authorities Law, an authority in any contract for annual contributions with the Federal Government, may obligate itself (which obligation shall be specifically enforceable and shall not constitute a mortgage, notwithstanding any other law) to convey to the Federal Government the housing project to which such contract relates, upon the occurrence of a substantial default with respect to the covenants or conditions to which the authority is subject; such contract may further provide that in case of such conveyance, the Federal Government may complete, operate, manage, lease, convey or otherwise deal with the housing project in accordance with the terms of such contract; *provided*, that the contract shall require that, as soon as practicable after the Federal Government is satisfied that all defaults by reason of which it shall have acquired the housing project have been cured and that the housing project will thereafter be operated in accordance with the terms of the contract, the Federal Government shall reconvey to the authority the housing project as then constituted.

C. 55:14A-29.
Contract
for Federal
contributions.

Proviso.

4. Any two or more authorities may join or cooperate with one another in the exercise of any or all of the powers conferred by the act of which this act is a supplement, for the purpose of financing, planning, undertaking, constructing or operating a housing project or projects located within the area or areas of operation of any one or more of said authorities.

C. 55:14A-30.
Joint action
authorized.

5. This act shall take effect immediately.

Approved July 1, 1947.

CHAPTER 375

AN ACT concerning diversion of subsurface and percolating waters of the State for domestic, industrial and other uses, and supplementing chapter one of Title 58 of the Revised Statutes.

Preamble. WHEREAS, Increasing diversion of subsurface and percolating waters in certain parts of the State is exceeding the natural replenishment of such subsurface waters and threatens to exhaust such waters or to render them unfit for use by intrusion of salt water, or from other causes; and

Preamble. WHEREAS, It is to the interest of the citizens of the State to conserve such waters by allocating their use in a fair and equitable manner; now, therefore,

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

C. 58:4A-1.
To delineate
certain areas.

1. The Division of Water Policy and Supply of the State Department of Conservation shall delineate from time to time such areas of the State where diversion of subsurface and percolating waters exceeds or threatens to exceed, or otherwise threatens or impairs, the natural replenishment of such waters.

C. 58:4A-2.
Permit
required.

2. In areas so delineated by the Division of Water Policy and Supply no person, corporation or agency of the public shall hereafter divert or obtain water from subsurface or percolating sources in excess of one hundred thousand gallons per day for any purpose unless such person, corporation or agency of the public shall first obtain a permit for such withdrawal from the Division of Water Policy and Supply. Such permit may be refused, or if granted, may include such stipulations as may be necessary to conserve the subsur-

face and percolating waters of the State and prevent their exhaustion.

3. Any refusal to grant a permit under this act by the Division of Water Policy and Supply shall be subject to review on certiorari by the Supreme Court, both as to questions of law and fact.

C. 58:4A-3.
Review of
refusal to
issue permit.

4. Any person, corporation, or agency of the public diverting or obtaining water at the time of the passage of this act, in excess of one hundred thousand gallons per day from subsurface or percolating water sources, shall have the privilege of continuing to take from the same source, the quantity of water which is the rated capacity of the equipment at that time used for such water diversion without securing a permit as provided above.

C. 58:4A-4.
May continue
to obtain
water.

5. This act shall take effect immediately.

Approved July 1, 1947.

CHAPTER 376

AN ACT concerning liens upon property of a decedent for unpaid transfer inheritance taxes, and amending section 54:35-5 of the Revised Statutes.

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

1. Section 54:35-5 of the Revised Statutes is amended to read as follows:

Section
amended.

54:35-5. Notwithstanding the provisions of any other law, taxes heretofore or hereafter imposed, whether levied and assessed or not, under chapters thirty-three to thirty-six of this Title (§54:33-1 et seq.), shall be and remain a lien on all property owned by the decedent as of the date of his death for a period of two years after July first, one thousand nine hundred and forty-six, or of ten years

Tax a lien.

after the date of such death, whichever shall expire later, and no longer, unless sooner paid or secured by bond as provided by said chapters thirty-three to thirty-six.

Act effective.

2. This act shall take effect July first, one thousand nine hundred and forty-seven.

Approved July 1, 1947.

CHAPTER 377

AN ACT to conserve certain natural resources of the State and to protect the public health; to provide for the licensing of well drillers; to fix fees therefor and to provide penalties for violations thereof.

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

C. 58:4A-5.
Department
directed to
effectuate
provisions.

1. The Department of Conservation, hereinafter called department, in furtherance of its general powers of supervision over the natural resources of the State and their conservation for public use, is hereby authorized, empowered and directed to make effective the provisions of this act and to adopt and effectuate such rules and regulations as may be proper for this purpose.

C. 58:4A-6.
License
required.

2. No person shall hereafter engage in well drilling in this State until he shall have received a license as a well driller, as provided in this act.

C. 58:4A-7.
To appoint
well driller
examiners.

3. The State Commissioner of Conservation shall within sixty days after the effective date of this act appoint, with the power of removal, seven well driller examiners, to be known as the examining board of well drillers and hereinafter referred to as the examining board. At least three members of the examining board shall be members of the department and the remaining members shall have

the qualifications to obtain master well drillers licenses, as provided in section eleven of this act. The members of the examining board shall be appointed for terms of three years, except that of the members first to be appointed, two shall be for terms of one year, two for terms of two years, and three for terms of three years. A quorum of the examining board shall consist of four members.

Terms.

Quorum.

4. Each member of the examining board, except those who are members of the department, shall receive compensation of fifteen dollars (\$15.00) per day, and actual and necessary expenses, for each day in which such member is engaged in the attendance upon meetings of the board; such charges to be approved by the commissioner and paid from general funds of the State within the limits of appropriations to the department.

C. 58:4A-8.

Compensation.

5. The board of examiners shall meet on the call of the commissioner within thirty days after its members are first appointed and thereafter shall hold at least one meeting each year. A special meeting of the examining board shall be called by the commissioner, or his duly authorized representative, whenever the necessity for such a meeting exists.

C. 58:4A-9.

Meetings.

6. It shall be the duty of the examining board to examine as to their experience and qualifications all persons applying for licenses as well drillers, and to certify the results thereof within ten days to the division of water policy and supply of the department. . Such examinations may be oral or written and shall be of a practical nature.

C. 58:4A-10.

To conduct examinations.

7. The said division shall, upon payment of the required fee, issue licenses to such persons as have by said examination shown themselves competent and qualified to engage in the business, trade or calling of well driller.

C. 58:4A-11.

License issued.

8. The said division shall have the power to revoke the license of any well driller if the same was obtained through error or fraud, or if the recipient thereof has a second time willfully violated any of the provisions of this law or any of the rules and

C. 58:4A-12.

May revoke license.

regulations prescribed by said division. Any person whose license has been revoked may, after the expiration of one year from the date of such revocation, apply for a new license.

C. 58:4A-13.
Licensed
driller
required.

9. Any operation on the drilling, boring, coring, driving, digging or construction of wells shall be under the continuous and immediate supervision of a licensed well driller, and the number of his license shall be displayed on the equipment used by such driller. Nothing in this act shall be construed as applying to the drilling of blast holes in quarries or mines.

C. 58:4A-14.
Permit
required,
conditions.

10. No well shall be drilled until a permit has been secured from the said division and the applicant for a permit shall give such information pertaining to the proposed well as the division shall require. As a further condition to the issuance of such permit, the division may require that accurate samples of the materials encountered in sinking the proposed well shall be preserved and delivered to the State Geologist or one of his authorized representatives. Upon the completion of the drilling of any well a report shall be filed by the driller with the division, giving the log (i. e. description of materials penetrated), the size and depth of the well, the diameters and lengths of casing and screen installed therein, the static and pumping levels and the yield of the well, and such other information pertaining to the construction or operation of the well as the division may require.

Report,
contents.

C. 58:4A-15.
Master well
driller.

11. Any person who has been engaged in the occupation, business or calling of well driller for a period of ten years prior to the effective date of this act and has had at least three years responsible charge of such work, may within ninety days after such effective date procure a license as a master well driller without examination, upon application to the division and payment of the required license fee. Any person who has been engaged in the occupation, business or calling of well driller for a period of five years may, within ninety days after said effective date, procure a license as a journey-

Journeyman
well driller.

man well driller without examination, upon application to the division and payment of the required license fee. All persons, except those within the provisions of the next section, applying for a license after the expiration of the said ninety day period, shall be required to take an examination as provided for in this act. Examination required.

12. The division may license without examination, upon payment of the required license fee, applicants who are duly licensed under the laws of any other State having requirements deemed by the said board at least equivalent to those of this State. C. 58:4A-16.
Reciprocal licenses.

13. Every license issued under the authority of this act, unless sooner revoked, shall expire on the thirtieth day of June next following the date of issue of such license. C. 58:4A-17.
Expiration of license.

14. A license once issued may be renewed at any time within one year from the date of its expiration on application therefor, and payment of the required renewal fee, and any such renewal shall expire on the thirtieth day of June next following the date of such renewal. C. 58:4A-18.
Renewals.

15. The following fees shall be required for licenses and renewals: C. 58:4A-19.
Schedule of fees.

Master well driller's license.....	\$10 00
Journeyman well driller's license..	5 00
Renewal of master well driller's license	10 00
Renewal of journeyman well driller's license	5 00

16. The said division and the State Geologist, or any authorized representative, shall have the power to make such inspections and take such samples as may be deemed necessary for the supervision of the construction and repair of wells throughout the State. C. 58:4A-20.
Inspections.

17. All expenses for the administration of this act shall be provided for and paid out of the general funds of the State within the limits of appropriations to the department. C. 58:4A-21.
Payment of expenses.

C. 58:4A-22.
Moneys paid
into State
treasury.

18. All moneys received for licenses under this act shall be paid into the State treasury.

C. 58:4A-23.
Terms defined.

19. As used in this act:

A "well" is any excavation whether drilled, bored, cored, or dug, one hundred or more feet in depth, whether for water, oil, gas, or exploration of the underlying formations.

A "well driller" is any person who engages in drilling, digging, driving, boring, coring, constructing, altering or repairing any well.

A "master well driller" is any person skilled in the planning, superintending and practical construction of wells and the installation and repair of well pumping equipment, and who has been engaged in well drilling for at least ten years.

A "journeyman well driller" is any person, other than a master well driller, skilled in the practical construction of wells and who has had at least five years' experience in such work.

C. 58:4A-24.
Violations,
penalties.

20. Any person who shall engage in the trade, business or calling of a well driller without having a license, or who shall operate without a permit, as provided in this act, or who shall refuse to perform any duty or obey any direction lawfully enjoined upon him by said division or the State Geologist, shall be deemed to have violated the provisions of this act and shall be subject to a penalty of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00) for each and every such violation. Each day such violation shall continue shall constitute a separate offense. The display by an unlicensed person of any sign or the advertising in any way, or the acceptance by any unlicensed person of any money or other consideration for the construction of any well, shall be deemed prima facie evidence of the violation of this act.

C. 58:4A-25.
Actions to
collect
penalties.

21. Actions for penalties under this act shall be brought by and in the name of the division of water policy and supply in any court of competent jurisdiction, according to the practice and procedure of said court. All penalties and costs col-

lected in such actions shall be payable to said division which shall transmit the same to the State Treasurer.

22. The said division shall prescribe and promulgate rules and regulations for the administration of the provisions of this act. C. 58:4A-26.
Rules and regulations.

23. If any part, section, subsection, sentence, clause or phrase of this act shall be held unconstitutional or void for any reason, such decisions shall not affect the validity of the remaining portions of this act. C. 58:4A-27.
Provisions severable.

24. This act shall take effect immediately, except that section twenty shall be inoperative until ninety days thereafter. C. 58:4A-28.
Act effective.

Approved July 1, 1947.

CHAPTER 378

AN ACT concerning the salaries of county detectives in counties bordering on the Atlantic ocean and having not less than thirty thousand and not more than fifty thousand inhabitants.

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

1. The salaries of special officers for the detection, arrest, indictment and conviction of offenders against the law, appointed or to be appointed in any county bordering on the Atlantic ocean and having not less than thirty thousand and not more than fifty thousand inhabitants, may be increased by the judge of the court of quarter sessions, and the prosecutor of the pleas, of the county, with the approval of the board of chosen freeholders of the county, as follows: special officers to not more than four thousand dollars (\$4,000.00) per annum, C. 2:181-22.
Salaries,
county
detectives.

and chief of county detectives to not more than five thousand dollars (\$5,000.00) per annum.

2. This act shall take effect immediately.

Approved July 1, 1947.

CHAPTER 379

AN ACT concerning insurance, regulating the trade practices in the business of insurance, defining and prohibiting unfair and deceptive acts and practices in the business of insurance, and supplementing subtitle three of Title 17 of the Revised Statutes.

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

C. 17:29B-1.
Declaration
of purpose.

1. Declaration of purpose. The purpose of this act is to regulate trade practices in the business of insurance in accordance with the intent of Congress as expressed in the Act of Congress of March 9, 1945 (Public Law 15, 79th Congress), by defining, or providing for the determination of, all such practices in this State which constitute unfair methods of competition or unfair or deceptive acts or practices and by prohibiting the trade practices so defined or determined.

C. 17:29B-2.
Terms defined.

2. Definitions. When used in this act:

(a) "Person" shall mean any individual, corporation, association, partnership, reciprocal exchange, inter-insurer, Lloyds insurer, fraternal benefit society, and any other legal entity engaged in the business of insurance, including agents, brokers and adjusters.

(b) "Commissioner" shall mean the Commissioner of Banking and Insurance of this State.

C. 17:29B-3.
Unfair
methods
prohibited.

3. Unfair methods of competition or unfair and deceptive acts or practices prohibited.

No person shall engage in this State in any trade practice which is defined in this act as or determined pursuant to this act to be an unfair method of competition or an unfair or deceptive act or practice in the business of insurance.

4. Unfair methods of competition and unfair or deceptive acts or practices defined.

C. 17:29B-4.
Unfair
methods,
etc., defined:

The following are hereby defined as unfair methods of competition and unfair and deceptive acts or practices in the business of insurance:

(1) Misrepresentations and false advertising of policy contracts. Making, issuing, circulating, or causing to be made, issued or circulated, any estimate, illustration, circular or statement misrepresenting the terms of any policy issued or to be issued or the benefits or advantages promised thereby or the dividends or share of the surplus to be received thereon, or making any false or misleading statement as to the dividends or share of surplus previously paid on similar policies, or making any misleading representation or any misrepresentation as to the financial condition of any insurer, or as to the legal reserve system upon which any life insurer operates, or using any name or title of any policy or class of policies misrepresenting the true nature thereof, or making any misrepresentation to any policyholder insured in any company for the purpose of inducing or tending to induce such policyholder to lapse, forfeit, or surrender his insurance.

Misrepresentation;

(2) False information and advertising generally. Making, publishing, disseminating, circulating, or placing before the public, or causing, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in a newspaper, magazine or other publication, or in the form of a notice, circular, pamphlet, letter or poster, or over any radio station, or in any other way, an

False
information;

advertisement, announcement or statement containing any assertion, representation or statement with respect to the business of insurance or with respect to any person in the conduct of his insurance business, which is untrue, deceptive or misleading.

Defamation;

(3) Defamation. Making, publishing, disseminating, or circulating, directly or indirectly, or aiding, abetting or encouraging the making, publishing, disseminating or circulating of any oral or written statement or any pamphlet, circular, article or literature which is false, or maliciously critical of or derogatory to the financial condition of an insurer, and which is calculated to injure any person engaged in the business of insurance.

Boycott,
coercion and
intimidation;

(4) Boycott, coercion and intimidation. Entering into any agreement to commit, or by any concerted action committing, any act of boycott, coercion or intimidation resulting in or tending to result in unreasonable restraint of, or monopoly in, the business of insurance.

False financial
statements;

(5) False financial statements. Filing with any supervisory or other public official, or making, publishing, disseminating, circulating or delivering to any person, or placing before the public, or causing directly or indirectly, to be made, published, disseminated, circulated, delivered to any person, or placed before the public, any false statement of financial condition of an insurer with intent to deceive.

Making any false entry in any book, report or statement of any insurer with intent to deceive any agent or examiner lawfully appointed to examine into its condition or into any of its affairs, or any public official to whom such insurer is required by law to report, or who has authority by law to examine into its condition or into any of its affairs, or, with like intent, willfully omitting to make a true entry of any material fact pertaining to the business of such insurer in any book, report or statement of such insurer.

(6) Stock operations and advisory board contracts. Issuing or delivering or permitting agents, officers, or employees to issue or deliver, agency company stock or other capital stock, or benefit certificates or shares in any common-law corporation, or securities or any special or advisory board contracts or other contracts of any kind promising returns and profits as an inducement to insurance. Stock operations;

(7) Unfair discrimination. (a) Making or permitting any unfair discrimination between individuals of the same class and equal expectation of life in the rates charged for any contract of life insurance or of life annuity or in the dividends or other benefits payable thereon, or in any other of the terms and conditions of such contract. Unfair discrimination;

(b) Making or permitting any unfair discrimination between individuals of the same class and of essentially the same hazard in the amount of premium, policy fees, or rates charged for any policy or contract of accident or health insurance or in the benefits payable thereunder, or in any of the terms or conditions of such contract, or in any other manner whatever.

(8) Rebates. (a) Except as otherwise expressly provided by law, knowingly permitting or offering to make or making any contract of life insurance, life annuity or accident and health insurance, or agreement as to such contract other than as plainly expressed in the contract issued thereon, or paying or allowing, or giving or offering to pay, allow, or give, directly or indirectly, as inducement to such insurance, or annuity, any rebate of premiums payable on the contract, or any special favor or advantage in the dividends or other benefits thereon, or any valuable consideration or inducement whatever not specified in the contract; or giving, or selling, or purchasing or offering to give, sell, or purchase as induce- Rebates;

ment to such insurance or annuity or in connection therewith, any stocks, bonds, or other securities of any insurance company or other corporation, association, or partnership, or any dividends or profits accrued thereon, or anything of value whatsoever not specified in the contract.

(b) Nothing in clause seven or paragraph (a) of this clause eight shall be construed as including within the definition of discrimination or rebates any of the following practices: (i) in the case of any contract of life insurance or life annuity, paying bonuses to policyholders or otherwise abating their premiums in whole or in part out of surplus accumulated from nonparticipating insurance; *provided*, that any such bonuses or abatement of premiums shall be fair and equitable to policyholders and for the best interests of the company and its policyholders; (ii) in the case of life insurance policies issued on the industrial debit plan, making allowance to policyholders who have continuously for a specified period made premium payments directly to an office of the insurer in an amount which fairly represents the saving in collection expense; (iii) readjustment of the rate of premium for a group insurance policy based on the loss or expense experience thereunder, at the end of the first or any subsequent policy year of insurance thereunder, which may be made retroactive only for such policy year.

Enumeration
of unfair
methods not
restrictive.

(9) The enumeration in this act of specific unfair methods of competition and unfair or deceptive acts and practices in the business of insurance is not exclusive or restrictive or intended to limit the powers of the commissioner or any court of review under the provisions of section nine of this act.

5. Power of commissioner. The commissioner shall have power to examine and investigate into the affairs of every person engaged in the business of insurance in this State in order to determine whether such person has been or is engaged in any unfair method of competition or in any unfair or deceptive act or practice prohibited by section three of this act. C. 17:29B-5. Commissioner's powers.

6. Hearings, witnesses, appearances, production of books and service of process. C. 17:29B-6.

(a) Whenever the commissioner shall have reason to believe that any such person has been engaged or is engaging in this State in any unfair method of competition or any unfair or deceptive act or practice defined in section four, and that a proceeding by him in respect thereto would be to the interest of the public, he shall issue and serve upon such person a statement of the charges in that respect and a notice of a hearing thereon to be held at a time and place fixed in the notice, which shall not be less than ten days after the date of the service thereof. Statement of charges, hearing.

(b) At the time and place fixed for such hearing, such person shall have an opportunity to be heard and to show cause why an order should not be made by the commissioner requiring such person to cease and desist from the acts, methods or practices so complained of. Upon good cause shown, the commissioner shall permit any person to intervene, appear and be heard at such hearing by counsel or in person. To show cause.

(c) Nothing contained in this act shall require the observance at any such hearing of formal rules of pleading or evidence. Construing as to procedure.

(d) The commissioner, upon such hearing, may administer oaths, examine and cross-examine witnesses, receive oral and documentary evidence, and shall have the power to subpoena witnesses, compel their attendance, and require the production of books, papers, records, correspondence, or other documents which he deems relevant to the inquiry. The commissioner, upon such hearing, may, and Commissioner to examine witnesses, etc.

upon the request of any party shall, cause to be made a stenographic record of all the evidence and all the proceedings had at such hearing. If no stenographic record is made and if a judicial review is sought, the commissioner shall prepare a statement of the evidence and proceeding for use on review. In case of a refusal of any person to comply with any subpoena issued hereunder or to testify with respect to any matter concerning which he may be lawfully interrogated, the Supreme Court of New Jersey, on application of the commissioner, may issue an order requiring such person to comply with such subpoena and to testify; and any failure to obey any such order of the court may be punished by the court as a contempt thereof.

Service
of papers.

(e) Statements of charges, notices, orders, and other processes of the commissioner under this act may be served by anyone duly authorized by the commissioner, either in the manner provided by law for service of process in civil actions, or by registering and mailing a copy thereof to the person affected by such statement, notice, order, or other process at his or its residence or principal office or place of business. The verified return by the person so serving such statement, notice, order, or other process, setting forth the manner of such service, shall be proof of the same, and the return postcard receipt for such statement, notice, order, or other process, registered and mailed as aforesaid, shall be proof of the service of the same.

C. 17:29B-7.
Cease and
desist orders,
modifications.

7. Cease and desist orders and modifications thereof.

(a) If, after such hearing, the commissioner shall determine that the method of competition or the act or practice in question is defined in section four and that the person complained of has engaged in such method of competition, act or practice in violation of this act, he shall reduce his findings to writing and shall issue and cause to be served upon the person charged with the violation an order requiring such person to cease and desist

from engaging in such method of competition, act or practice.

(b) Until the expiration of the time allowed under section eight (a) of this act for filing a petition for review by writ of certiorari, if no such petition has been duly filed within such time or, if a petition for review has been filed within such time, then until the transcript of the record in the proceeding has been filed in the Supreme Court, as hereinafter provided, the commissioner may at any time, upon such notice and in such manner as he shall deem proper, modify or set aside in whole or in part any order issued by him under this section.

(c) After the expiration of the time allowed for filing such a petition for review if no such petition has been duly filed within such time, the commissioner may at any time, after notice and opportunity for hearing, reopen and alter, modify or set aside, in whole or in part, any order issued by him under this section, whenever in his opinion conditions of fact or of law have so changed as to require such action or if the public interest shall so require.

8. Judicial review of cease and desist orders.

C. 17:29B-8.
Judicial
reviews.

(a) Any person required by an order of the commissioner under section seven to cease and desist from engaging in any unfair method of competition or any unfair or deceptive act or practice defined in section four may obtain a review of such order by filing in the Supreme Court of New Jersey within thirty days from the date of the service of such order, a written petition praying that the order of the commissioner be set aside. A copy of such petition shall be forthwith served upon the commissioner, and thereupon the commissioner forthwith shall certify and file in such court a transcript of the entire record in the proceeding, including all the evidence taken and the report and order of the commissioner. Upon such filing of the petition and transcript such court shall have jurisdiction of the proceeding and of the question determined

therein, shall determine whether the filing of such petition shall operate as a stay of such order of the commissioner, and shall have power to make and enter upon the pleadings, evidence, and proceedings set forth in such transcript a decree modifying, affirming or reversing the order of the commissioner, in whole or in part. The findings of the commissioner as to the facts, if supported by the weight of the evidence, shall be conclusive.

(b) To the extent that the order of the commissioner is affirmed, the court shall thereupon issue its own order commanding obedience to the terms of such order of the commissioner. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceedings before the commissioner, the court may order such additional evidence to be taken before the commissioner and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The commissioner may modify his findings of fact, or make new findings by reason of the additional evidence so taken, and he shall file such modified or new findings which shall be conclusive, and his recommendation, if any, for the modification or setting aside of his original order, with the return of such additional evidence.

(c) A cease and desist order issued by the commissioner under section seven shall become final

(1) Upon the expiration of the time allowed for filing a petition for review if no such petition has been duly filed within such time; except that the commissioner may thereafter modify or set aside his order to the extent provided in section seven (b); or

(2) Upon the final decision of the court if the court directs that the order of the commissioner be affirmed or the petition for review dismissed.

(d) No order of the commissioner under this act or order of a court to enforce the same shall in any way relieve or absolve any person affected by such order from any liability under any other laws of this State.

9. Procedure as to unfair methods of competition and unfair or deceptive acts or practices which are not defined.

C. 17:29B-9.
Procedure
as to unfair
methods.

(a) Whenever the commissioner shall have reason to believe that any person engaged in the business of insurance is engaging in this State in any method of competition or in any act or practice in the conduct of such business which is not defined in section four, that such method of competition is unfair or that such act or practice is unfair or deceptive and that a proceeding by him in respect thereto would be to the interest of the public, he may issue and serve upon such person a statement of the charges in that respect and a notice of a hearing thereon to be held at a time and place fixed in the notice, which shall not be less than ten days after the date of the service thereof. Each such hearing shall be conducted in the same manner as the hearings provided for in section six. The commissioner shall, after such hearing, make a report in writing in which he shall state his findings as to the facts, and he shall serve a copy thereof upon such person.

(b) If such report charges a violation of this act and if such method of competition, act or practice has not been discontinued, the commissioner may, through the Attorney-General of this State, at any time after ten days after the service of such report cause a petition to be filed in the Court of Chancery to enjoin and restrain such person from engaging in such method, act or practice. The court shall have jurisdiction of the proceeding and shall have power to make and enter appropriate orders in connection therewith and to issue such writs as are ancillary to its jurisdiction or are necessary in its judgment to prevent injury to the public pendente lite.

(c) A transcript of the proceedings before the commissioner including all evidence taken and the report and findings shall be filed with such petition. If either party shall apply to the court for leave to adduce additional evidence and shall show, to the satisfaction of the court, that such additional evidence is material and there were reasonable grounds for the failure to adduce such evidence in the proceeding before the commissioner, the court may order such additional evidence to be taken before the commissioner and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The commissioner may modify his findings of fact or make new findings by reason of the additional evidence so taken, and he shall file such modified or new findings with the return of such additional evidence.

(d) If the court finds that the method of competition complained of is unfair or that the act or practice complained of is unfair or deceptive, that the proceeding by the commissioner with respect thereto is to the interest of the public and that the findings of the commissioner are supported by the weight of the evidence, it shall issue its order enjoining and restraining the continuance of such method of competition, act or practice.

C. 17:29B-10.
Judicial
review by
intervenor.

10. Judicial review by intervenor. If the report of the commissioner does not charge a violation of this act, then any intervenor in the proceedings may, within thirty days after the service of such report, cause a petition for a review of such report to be filed in the Court of Chancery for a review of such report. Upon such review, the court shall have authority to issue appropriate orders and decrees in connection therewith, including, if the court finds that it is to the interest of the public, orders enjoining and restraining the continuance of any method of competition, act or practice which it finds, notwithstanding such report of the commissioner, constitutes a violation of this act.

11. Penalty. Any person who violates a cease and desist order of the commissioner under section seven, after it has become final, and while such order is in effect, shall forfeit and pay to the State of New Jersey a sum not to exceed five thousand dollars (\$5,000.00) for each violation, which may be recovered in a civil action. In determining the amount of the penalty the question of whether the violation was willful shall be taken into consideration. Nothing herein shall be construed as limiting a court in enforcing its own orders.

C. 17:29B-11.
Penalty.

12. Provisions of act additional to existing law. The powers vested in the commissioner by this act shall be additional to any other powers to enforce any penalties, fines or forfeitures authorized by law with respect to the methods, acts and practices hereby declared to be unfair or deceptive.

C. 17:29B-12.
Provisions
additions to
existing law.

13. Immunity from prosecution. If any person shall ask to be excused from attending and testifying or from producing any books, papers, records, correspondence or other documents at any hearing on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; and shall notwithstanding be directed to give such testimony or produce such evidence, he must none the less comply with such direction, but he shall not thereafter be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may testify or produce evidence pursuant thereto, and no testimony so given or evidence produced shall be received against him upon any criminal action, investigation or proceeding; *provided, however*, that no such individual so testifying shall be exempt from prosecution or punishment for any perjury committed by him while so testifying and the testimony or evidence so given or produced shall be admissible against him upon any criminal action, investigation or proceeding concerning such perjury, nor shall he be exempt from the refusal, revocation or suspension of any license, permission or authority

C. 17:29B-13.
Immunity from
prosecution.

Proviso.

conferred, or to be conferred, pursuant to the insurance law of this State. Any such individual may execute, acknowledge and file in the office of the commissioner a statement expressly waiving such immunity or privilege in respect to any transaction, matter or thing specified in such statement and thereupon the testimony of such person or such evidence in relation to such transaction, matter or thing may be received or produced before any judge or justice, court, tribunal, grand jury or otherwise, and if so received or produced such individual shall not be entitled to any immunity or privilege on account of any testimony he may so give or evidence so produced.

C. 17:29B-14.
Provisions
severable.

14. Separability provision. If any provision of this act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of the act, 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.

Approved July 3, 1947.

CHAPTER 380

AN ACT relating to residuary devises or bequests by will, in case of failure by the death of one or more of the beneficiaries thereof, or any other cause, and supplementing article two of Title 3 of the Revised Statutes.

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

C. 3:2-19.1.
Surviving
legatees to
take residuary
devise.

1. When a residuary devise or bequest shall be made to two or more persons by the will of any testator dying after taking effect of this act, unless a contrary intention shall appear by the will,

the share of any such residuary devisees or legatees dying before the testator and not saved from lapse by section 3:2-18 of the Revised Statutes, or not capable of taking effect from any other cause, shall go to and be vested in the remaining residuary devisee or legatee, if any there be, and if more than one, then to the remaining residuary devisees or legatees in proportion to their respective shares in said residue.

2. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 381

AN ACT concerning actions upon agreements, express or implied, to assume the payment of bonds secured by mortgages, and supplementing chapter sixty-five of Title 2 of the Revised Statutes.

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

1. Where an agreement, express or implied, to assume the payment of any bond secured by a mortgage, has been made, all proceedings to enforce payment of the obligation against the person making such assumption shall be:

C. 2:65-14.1.
Proceedings
to enforce
payment.

First, a foreclosure of the mortgage or the extinguishment of the mortgage lien by the foreclosure of a prior mortgage or lien; and

Second, an action upon the agreement of assumption, express or implied; *provided*, no such action may be maintained unless

Proviso.

(a) the obligor of record upon the agreement of assumption was made a party defendant in the suit to foreclose the mortgage, and

(b) the action is commenced within three months from the date of the confirmation of

the sale of the mortgaged premises, in the foreclosure suit, or in the case of the extinguishment of the mortgage lien by the foreclosure of a prior mortgage or lien, then within twelve months from the date of such extinguishment, and

(c) a notice of intention to bring the action, is filed in the office of the clerk of the county wherein the mortgaged premises are located, before the commencement of the action, and

(d) the plaintiff shall in his complaint offer to credit upon the indebtedness the fair market value, which shall be specified, of the mortgaged premises as of the date of the sale in the foreclosure suit, in any case where the plaintiff was the purchaser of the mortgaged premises at such sale, and in such case the defendant may contest, in the action, the amount of such fair market value; and

(e) the plaintiff shall join in the action any and all persons within the jurisdiction of the State of New Jersey alleged to be liable as obligors upon the bond and upon any other agreement of assumption of payment of the same bond, express or implied, and upon any and all agreements or covenants to pay the same bond, or any moneys alleged to be due thereon, as principal, guarantor, surety or otherwise, whether such persons are alleged to be liable directly, indirectly, jointly, severally, or in the alternative.

C. 2:65-14.2.
Applicable to
all agreements.

2. This act shall be applicable to all agreements, express or implied, to assume the payment of any bond secured by a mortgage, whether heretofore or hereafter made, but in the case of such agreements heretofore made, the time within which the action may be brought unless previously barred by any provision of law shall in no such case be less than three months from the effective date of this act or within three months from the date of the accrual of the cause of action thereon whichever is later.

3. In any such action wherein the fair value of the mortgaged premises in issue and such fair value has been determined in any prior action or proceeding, such determination shall be prima facie evidence of such fair value. C. 2:65-14.3.
Fair value.

4. In any such action the court shall by the judgment therein entered determine the respective rights and interests of all of the parties as between themselves and all of the other parties as to primary, secondary and other liability to the plaintiff and as to the direct, or indirect, or alternative liability of any party to any other party. C. 2:65-14.4.

5. Whenever the bringing of any such action shall revive the right to redeem the mortgaged premises and shall open the foreclosure and sale of the mortgaged premises, under section 2:65-4 of the Revised Statutes, the provisions of sections 2:65-6 and 2:65-7 of the Revised Statutes shall be applicable to such action. C. 2:65-14.5.
Sections applicable.

6. Nothing contained in this act shall be deemed to repeal or supersede any of the provisions of chapter sixty-five of Title 2 of the Revised Statutes. C. 2:65-14.6.
Deemed not to repeal.

7. The provisions of this act shall not apply to any action commenced before the effective date hereof. C. 2:65-14.7.
Application.

8. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 382

AN ACT to provide for compensation to certain municipalities for loss of tax revenue by reason of exemption from taxation of certain lands taken for park purposes by county park commissions established pursuant to the provisions of subdivision C of article four of chapter thirty-seven of Title 40 of the Revised Statutes, by the county, and supplementing said chapter of the Revised Statutes.

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

C. 40:37-101.4.
Acquiring
additional
land.

1. When any park commission established pursuant to the provisions of subdivision C of article four of chapter thirty-seven of Title 40 of the Revised Statutes (R. S. 40:37-96 et seq.) shall have acquired land in any municipality amounting in the aggregate to thirty-five per centum (35%) of the tax ratables of such municipality estimated on the basis of the value of such lands, with any buildings or improvements thereon, at the time they, or the respective parcels thereof, were acquired, said park commissioners may acquire additional lands in such municipality only upon compliance with the provisions of this act.

C. 40:37-101.5.
Assessors
certificate.

2. The assessor of the municipality shall file with the county board of taxation, in each year, with his assessment list, a certificate that the value of the land, with any buildings and improvements thereon, at the time they, or the respective parcels thereof, were acquired by such park commissioners in such municipality, exceeds in the aggregate thirty-five per centum (35%) of the total value of ratables in the municipality, briefly describing the same and separately describing the lands acquired in excess of such percentage and stating the value

of such lands with any buildings and improvements thereon, at the time they, or the respective parcels thereof, were acquired.

3. The county board of taxation shall in each year estimate the sum of money which the municipality would have derived during said year as tax revenue for local purposes from such lands, buildings and improvements in excess of said thirty-five per centum (35%), valued as aforesaid, if the same had not been so taken and were not exempt from taxation, as soon as practicable after the receipt of such certificate and shall forthwith certify such amount to the clerk of the municipality and to the board of chosen freeholders of the county and the director of the division of local government in the State Department of Taxation and Finance and an appropriation equal to said amount shall be included by the board of chosen freeholders in its budget for the following year and shall be payable to the municipality on or before the first day of July of that year and said amount shall be included by the municipality in its budget for said year as anticipated revenue and when paid to the municipality shall be used by the municipality for general municipal purposes.

C. 40:37-101.6.
County board
to estimate
amount,
certificate.

Freeholders
to reimburse
municipality.

4. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 383

AN Act relating to the operation of autobusses or other vehicles in substitution for street railway operation, and supplementing chapter fifteen of Title 48 of the Revised Statutes.

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

C. 48:15-43.6.
To designate
parallel route.

1. Whenever any traction company, or any company operating or authorized by the laws of this State to operate a street railway or railroad operated as a street railway, shall operate autobusses, or vehicles of the character described in section 48:15-41 of the Revised Statutes, in substitution for street railway operation pursuant to the provisions of article seven of chapter fifteen of Title 48 of the Revised Statutes, and such substituted operation shall be over a street or highway which has been or may be lawfully designated as a "one-way street," it shall be the duty of the board, body or official having jurisdiction of such street or highway to designate the nearest available and suitable parallel or substantially parallel street or highway for use by vehicles employed in such substituted operation in the opposite direction to that permitted on the street or highway designated as a "one-way street," and such traction company or other company, as aforesaid, shall, if such designation is approved by the Board of Public Utility Commissioners, thereafter have the same rights in such designated street or highway for such substituted operation as it had or has in the street or highway designated as a "one-way street," so long as the said street or highway shall continue to be designated as a "one-way street."

2. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 384

AN ACT providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto.

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

1. Where the title to property or the devolution thereof depends upon priority of death and there is no sufficient evidence that the persons have died otherwise than simultaneously, the property of each person shall be disposed of as if he had survived, except as provided otherwise in this act.

C. 3:5A-1.
Disposition
of property.

2. Where two or more beneficiaries are designated to take successively by reason of survivorship under another person's disposition of property and there is no sufficient evidence that these beneficiaries have died otherwise than simultaneously the property thus disposed of shall be divided into as many equal portions as there are successive beneficiaries and these portions shall be distributed respectively to those who would have taken in the event that each designated beneficiary had survived.

C. 3:5A-2.
Property
divided
equally.

3. Where there is no sufficient evidence that two joint tenants or tenants by the entirety have died otherwise than simultaneously the property so held shall be distributed one-half as if one had survived and one-half as if the other had survived. If there are more than two joint tenants and all of them have so died the property thus distributed shall be in the proportion that one bears to the whole number of joint tenants.

C. 3:5A-3.
Distribution,
joint tenants.

4. Where the insured and the beneficiary in a policy of life or accident insurance have died and there is no sufficient evidence that they have died otherwise than simultaneously the proceeds of the

C. 3:5A-4.
Insurance
proceeds.

policy shall be distributed as if the insured had survived the beneficiary.

C. 3:5A-5.
Act not
retroactive.

5. This act shall not apply to the distribution of the property of a person who had died before it takes effect.

C. 3:5A-6.
Act not
to apply.

6. This act shall not apply in the case of wills, living trusts, deeds, or contracts of insurance, wherein provision has been made for distribution of property different from the provisions of this act.

C. 3:5A-7.
Construing.

7. This act shall be so construed and interpreted as to effectuate its general purpose to make uniform the law in those States which enact it.

C. 3:5A-8.
Short title.

8. This act may be cited as the Uniform Simultaneous Death Act.

C. 3:5A-9.
Repealer.

9. All laws or parts of laws inconsistent with the provisions of this act are hereby repealed.

C. 3:5A-10.
Provisions
severable.

10. If any of the provisions of this act or the application thereof to any persons 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 provisions or application, and to this end the provisions of this act are declared to be severable.

Approved July 3, 1947.

CHAPTER 385

AN ACT concerning municipalities, regulating by ordinance therein the resale for profit and the carrying on of the business of reselling tickets or other devices for admission to theaters or other places of amusement or entertainment; providing for the issuance of licenses, and supplementing chapter forty-eight of Title 40 of the Revised Statutes.

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

1. As used in this act the following words and phrases shall have the meaning herein ascribed: C. 40:48-2.18.
Terms defined:

“Amusement.” All manner and forms of entertainment, including, among others, theatrical or operatic performances, concerts, moving picture shows, vaudeville, circus, carnival, and side shows, all forms of entertainment at fair grounds and amusement parks, athletic contests, including football and baseball games, skating, golfing, tennis, hockey, bathing, swimming, archery, shooting, riding, dancing and all other forms of diversion, sport, recreation, or pastime, shows, exhibitions, contests, displays and games. Amusement;

“Place of amusement.” Any place, indoors or outdoors, within such municipality, where the general public or a limited or selected number thereof, may, upon payment of an established price, attend or engage in any amusement as herein defined, including, among others, theaters, opera houses, moving picture houses, amusement parks, stadiums, arenas, baseball parks, skating rinks, circus or carnival tents or grounds, fair grounds, social sporting, athletic, riding, gun and country clubs, riding academies, golf courses, bathing and swimming places, dance halls, tennis courts, archery, rifle or Place of
amusement;

shotgun ranges, roof gardens, cabarets, night clubs, and other like places.

Person.

“Person.” Every natural person, co-partnership, association, or corporation. Whenever used in any clause prescribing and imposing a penalty, the term “person” as applied to co-partnerships or associations, shall mean the partners, or members thereof, and as applied to corporations the officers thereof.

C. 40:48-2.19.
Empowered
to enact
regulating
ordinances.

2. Municipalities of this State are hereby authorized and empowered to enact ordinances regulating the resale for profit and the carrying on of the business of reselling tickets or other devices for admission to theaters and other places of amusement or entertainment, to license such business by ordinance and to fix penalties for violations.

C. 40:48-2.20.
License
required.

3. Upon the adoption of any ordinance as herein authorized, it shall be unlawful for any person to resell for profit or to engage or continue in the business of reselling tickets or other devices for admission to any place of amusement at a price in excess of that fixed or charged by the person or persons who may own, operate or control such place of amusement, without first having obtained a license to engage in such business, from the clerk of the municipality.

C. 40:48-2.21.
Application
form and
content.

4. All applications for such license shall be made to the clerk of the municipality on forms provided by him and shall be effective for one year from the date of issuance thereof. The application shall be verified by oath or affirmation and shall state the name and address of the applicant, the place at which he is carrying on or intends to carry on such business, and such other information as the municipality shall require.

C. 40:48-2.22.
Qualifications,
fee.

5. No license shall be granted to any applicant unless he be a citizen of the United States and shall have resided in the State of New Jersey for at least one year prior to the date of his said application. The annual fee for such license shall be \$50.00 and shall be paid at the time of the application for said license or any renewal thereof. If a

licensee shall change his address or place of business, notice of such change shall be given to the clerk of the municipality within forty-eight hours prior to the date of such change, and no person shall engage in said business at any new address until he shall have given such notice to the clerk of the municipality and the new address has been noted on his license, nor shall any such licensee change the address of his place of business more than once in any calendar year. The license shall at all times be prominently displayed in the place of business of the licensee, and no resale of tickets or other devices of admission shall be made by any licensee except at such place of business.

License
displayed.

6. The maximum charge upon the resale of any ticket or other device for admission shall be one dollar (\$1.00) (plus the tax, if any, upon the added price of resale) in excess of the price at which it was originally sold by the owner, operator or controller of the place of amusement for which it was issued (plus the tax lawfully due on such original sale), but in no event shall the additional charge on the resale thereof exceed fifty per centum (50%) of the original charge, and each ticket or other device for admission shall have printed or stamped on the back thereof the name of the licensee making such resale and the original price of issue and the resale price thereof together with the tax thereon. Such licensee shall have prominently displayed at his place of business schedules showing tickets or other devices of admission offered for resale by him, together with the original prices of issue and the prices at which they are offered for resale.

C. 40:48-2.23.
Limits price
to be charged
upon resale.

Schedules
displayed.

7. The governing body of the municipality is authorized and empowered to enforce the provisions of any such ordinance and to fix penalties for violations, and further, to suspend or revoke any license which may be granted thereunder.

C. 40:48-2.24.
Enforcement.

8. The governing body of the municipality may provide penalties not in excess of one hundred dollars (\$100.00) for each offense and to recover all

C. 40:48-2.25.
Penalties.

penalties in appropriate proceedings in respective municipal courts, and to fix terms of imprisonment for failure to pay penalties imposed.

9. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 386

AN ACT to amend "An act relating to the sale by municipalities of certificates of tax sale including subsequent municipal liens held by such municipalities," approved April eighth, one thousand nine hundred and forty-three (P. L. 1943, c. 149).

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

Section
amended.

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

C. 54:5-114.7.
Delivery of
certificate
by collector.

6. The collector shall not deliver up or give possession of the tax sale certificate or certificates to the purchaser, or his agents, or nominees prior to the recordation of a final decree in the Court of Chancery as hereinabove provided for; *provided, however*, that after said sale has been approved and the purchase price paid, the purchaser shall receive a properly executed written assignment of the tax sale certificate or certificates, executed by the mayor and borough clerk, certifying to the sale of the certificate or certificates and the proceedings relating to said sale, said assignment shall specifically state that the assignee's title to said certificate or certificates is subject to forfeiture upon his failure to foreclose within the time limited by this statute. The tax collector of the municipality shall not be obliged to produce the original certificate in the tax foreclosure proceedings; *provided*, it has been properly recorded in the office of the

Proviso.

Proviso.

county clerk or the office of the register of deeds in the county where such office exists. When the certificate or certificates are recorded, the assignee shall submit certified copies of the record in evidence in place of the original certificate.

Upon the recordation of a final decree of the Court of Chancery as hereinabove provided for, within the time limited by this statute, the collector shall deliver the tax sale certificate or certificates to the purchaser, or his agents, or nominees, and shall certify, by endorsement on the assignment previously executed pursuant to this section or by the execution of a certificate, that the assignee's title to said certificate or certificates is no longer subject to forfeiture for failure to foreclose and that such foreclosure has been completed within the time limited by this statute. Thereupon, the purchaser may dispose of the tax sale certificate or certificates in the same manner as, and as fully as if such assignment were absolute and unconditional and the tax sale certificate or certificates had been delivered at the time of the execution of said assignment.

Delivery and
endorsement
on certificate.

Disposal by
purchaser.

2. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 387

AN ACT concerning the pensions of employees of cities of the first class, and amending section 43:13-2 of article two of the Revised Statutes.

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

1. Section 43:13-2 of article two of the Revised Statutes is amended to read as follows:

Section
amended.

43:13-2. For the purposes of this article the words "municipal employee" or "employee"

Municipal
employee or
employee
defined.

Proviso.

mean and include any employee of a city of the first class holding a position of permanent employment and recognized as a permanent appointee, it being the intent to exclude from the operation of this article transient, seasonal or temporary employees, workers or laborers and all officers, employees or workers not entitled to the benefits of any tenure of office act; *provided, however*, that any person who heretofore was, now is, or hereafter shall be an employee of such city and has continued to occupy an employment, position, or office of any kind, or any of them, in or under the government of said city and who has at any time become a member of the pension fund established for employees of said city shall be considered a "municipal employee" or an "employee" for the purposes of this article. The words "municipal employee" or "employee" shall not include a member of the fire or police department, employee of a local board of health eligible to apply for membership in the pension corporations or associations which have been or may hereafter be formed under chapter eighteen of this Title (§43:18-1 et seq.), or any employee of a street or water department eligible to apply for membership in the pension corporations or associations which have been or may hereafter be formed under chapter nineteen of this Title (§43:19-1 et seq.). The appointing board or officer appointing an employee of a city of the first class may determine whether or not the employment of any employee as aforesaid is permanent within the meaning of this article.

2. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 388

AN ACT to amend the Gloucester county tunnel law,
and amending section 32:13A-4 of the Revised
Statutes.

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

1. Section 32:13A-4 of the Revised Statutes is amended to read as follows: Section amended.

32:13A-4. If the board of chosen freeholders of the county of Gloucester shall desire to take advantage of the provisions of this chapter, it shall first pass a resolution declaring that the construction of such tunnel will be a convenience, a necessity and a benefit to the county, and fixing the approximate location of such tunnel. The commission shall consist of five persons who shall be appointed by the Governor with the advice and consent of the Senate and who shall hold office for terms of five years, respectively, from the date or dates of their appointment, and until their successors are appointed and qualify, and any person appointed to fill a vacancy shall serve only for the unexpired term, and any member of the commission shall be eligible for reappointment. The members in office upon the effective date of this act shall continue to hold their respective offices until the expiration of their respective terms except that the term of office ex officio, as a member, of the chairman, that is to say the director, of the board of chosen freeholders shall terminate upon the effective date of this act. Each member of the commission, before entering upon his duties, shall take, subscribe and file an oath faithfully and impartially to perform the duties of his office. Before the issuance of any revenue bonds under the provisions of this chapter, each member shall give bond to the county of Gloucester in the State of New Jersey to be approved by the chairman of the board of chosen freeholders in the penalty of \$., conditioned Resolution by board.

Commission.

Present members to continue.

Oath.

Bond.

Organization.	upon the faithful and impartial performance of the duties of his office, which bond shall be filed in the office of the county clerk of said county of Gloucester. The commission shall elect one of its members as chairman, and shall also elect a secretary and treasurer who may not be a member of the commission. The commission so appointed shall be known as the "Gloucester county tunnel commission," and by that name the commission may sue and be sued, plead and be impleaded, contract and be contracted with, and have an official seal. The commission shall make necessary rules and regulations for its own government, and shall have power and authority to make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this chapter, and to employ engineering, architectural and construction experts and inspectors and attorneys, and such other employees as may be necessary in its judgment, and fix their compensation. The members of the commission shall receive no salary but shall be reimbursed for necessary expenses incurred in the performance of their duties. All salaries and compensation shall be paid solely from funds provided under the authority of this chapter, and the commission shall not proceed to exercise or carry out any authority or power herein given it to bind such commission beyond the extent to which money has been or may be provided under the authority of this chapter. The commission shall have power and authority to enter into such contracts and lease agreements as may be necessary to the complete utilization of every accessible and usable part or portion of the tunnel to be constructed hereunder; <i>provided, however</i> , that nothing contained in this chapter will be construed to permit the commission to delegate its authority either directly or indirectly over the management and operation of the vehicular traffic which will pass through said tunnel to any private interest or interests.
Name.	
Rules and regulations, powers.	
Proviso.	2. This act shall take effect immediately. Approved July 3, 1947.

CHAPTER 389

A SUPPLEMENT to "An act concerning war adjustment in the compensation of certain persons holding State office, position or employment whose compensation is paid from State funds or from funds derived from Federal sources, or holding office, position or employment in an educational institution whose compensation is paid in whole or part through the board of regents, or holding Federal office, position or employment who receive supplemental compensation from State funds and concerning additional compensation in lieu of a further salary increase for persons holding office, position or employment under the Delaware River Joint Toll Bridge Commission and making appropriation therefor," approved April fourteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 119), and extending the benefits of said act to include certain persons holding office, position or employment, in an educational institution whose compensation is paid in whole or in part from State funds through the Commissioner of Education, and under the Interstate Sanitation Commission.

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

1. The purpose of this act is to continue war adjustment payments to the persons who received such payments during the fiscal year one thousand nine hundred and forty-six to one thousand nine hundred and forty-seven and to provide for such payments to persons holding office, position or employment in an educational institution whose com- Purpose.

pensation is paid in whole or in part from State funds through the Commissioner of Education, and to persons holding office, position or employment under the Interstate Sanitation Commission, and in all cases where increments, reclassification and increase in compensation received since July first, one thousand nine hundred and forty-six, do not equal or exceed one hundred twenty dollars (\$120.00) per year and thus guarantee to all State employees for the fiscal year one thousand nine hundred and forty-seven to one thousand nine hundred and forty-eight a total income comparable to that received during the fiscal year one thousand nine hundred and forty-six to one thousand nine hundred and forty-seven.

To formulate
rules and
regulations.

2. In order to insure fair and equitable treatment for all State employees and to carry out the purpose of this act, the State Treasurer, the president of the Civil Service Commission and the Commissioner of Taxation and Finance are empowered to make such rules and regulations as, in their discretion, are necessary or proper, to carry out such objectives. They shall meet quarterly and at such other times as may be necessary to carry out the purposes of this act.

Persons
eligible
to receive
payments.

3. All persons who receive war adjustment payments under the act to which this act is a supplement shall continue to receive war adjustment payments at the rate of one hundred twenty dollars (\$120.00) a year during the fiscal year beginning July first, one thousand nine hundred and forty-seven, and ending June thirtieth, one thousand nine hundred and forty-eight; *provided, however*, that in each case such war adjustment payment shall be reduced in each payroll period by an amount equal to any amount of increase in the rate of compensation excluding war adjustment payments for each payroll period over the rate of compensation excluding war adjustment payments payable to such person as of July first, one thousand nine hundred and forty-six.

Proviso.

4. Each person holding office, position or employment in an educational institution whose compensation is paid in whole or in part from State funds through the Commissioner of Education shall be paid the same war adjustment as if he were a State employee and his compensation were paid wholly from State funds, subject to such conditions as may be imposed by the State Treasurer, the president of the Civil Service Commission and the State Commissioner of Taxation and Finance, which conditions shall be as nearly like the conditions applying to State employees as the circumstances of the case will permit.

Employees
of certain
educational
institutions
eligible.

5. Each person holding office, position or employment under the Delaware River Joint Toll Bridge Commission or under the Interstate Sanitation Commission shall be paid additional compensation in lieu of a further salary increase equal in amount to the war adjustment which he would receive during said fiscal year if he were a State employee and his compensation were paid wholly from State funds, subject to such conditions as may be imposed by the State Treasurer, the president of the Civil Service Commission and the Commissioner of Taxation and Finance, which conditions shall be as nearly like the conditions applying to State employees as the circumstances of the case will permit, but only to the extent that such additional compensation exceeds any increase of the regular salary of such person payable otherwise than by way of war adjustment and effective during the fiscal year one thousand nine hundred and forty-seven to one thousand nine hundred and forty-eight.

Employees
of certain
interstate
commissions
eligible.

6. Any person on leave of absence granted because of entry into any branch of the military or naval forces of this State or of the United States or any organization authorized by the United States to serve with the Army or Navy, who comes back into the active service as a State employee in the fiscal year one thousand nine hundred and forty-seven to one thousand nine hundred and

Persons
returning from
military
service eligible.

forty-eight shall receive for each payroll period after his return, the same war adjustment payment under this act as he would have received if he had continued in the active State service as a State employee.

Act effective.

7. This act shall take effect July first, one thousand nine hundred and forty-seven.

Approved July 3, 1947.

CHAPTER 390

AN ACT to amend "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," approved March twenty-eighth, one thousand nine hundred and forty-one (P. L. 1941, c. 27).

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

Section
amended.

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

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 the act:

Manufacture;

(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 the 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. Store;

(3) To sell any explosives. Sell;

(4) To transport explosives on highways, by motor truck or any other vehicle; *provided, however*, that if the vehicle used for the transportation of explosives over the highways complies with the requirements of this act, the holder of a valid limited agricultural permit to use explosives for blasting purposes shall not be required to have issued to him a permit to transport explosives in his own vehicle under the following conditions: Transport.
Proviso.

(a) To transport not more than fifty pounds of explosives; *provided, however*, that twenty-five or more pounds of explosives must be in an unbroken original container, or, one hundred electric blasting caps; *provided, however*, that fifty or more blasting caps must be in an unbroken original container, but not both in the same vehicle at any one time; *provided*, that the class "A" limited agricultural permit has been issued to said holder, or, Proviso.
Proviso.
Proviso.

(b) To transport not more than ten pounds of explosives or twenty blasting caps.

(5) To use explosives for blasting operations.

(6) To use explosives for other than blasting operations.

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

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 C. 21:1A-53.
Annual permit.

Schedule
of fees. 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:

Proviso. (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; *provided, however*, that no fee shall be paid for the storage of not more than fifteen pounds of explosives or thirty blasting caps or both, by any person to whom a limited agricultural permit to use explosives for blasting purposes has been issued; *and provided further*, that the fee for the storage of between more than fifteen pounds and not more than one hundred pounds of explosives, or between more than thirty and not more than one hundred blasting caps shall be one dollar (\$1.00); *and provided further*, that the holder of a valid limited agricultural permit may apply for any required permits to store explosives issued by the commissioner to the local county representative of the Agricultural Extension Service in a manner prescribed by the regulations of the commissioner.

Proviso. (2) Permit to sell explosives—not less than one dollar (\$1.00) nor more than twenty-five dollars (\$25.00), as provided by regulation.

Proviso. (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; *provided, however*, that no such fee shall be paid by any person to whom a limited agricultural permit has been issued, to transport the following quantities of explosives under the conditions as stated:

(a) For the holder of a class “A” limited agricultural permit not more than fifty pounds of explosives nor more than one hundred electric blasting caps, or,

(b) Not more than ten pounds of explosives or twenty blasting caps.

(4) Permit to use explosives—five dollars (\$5.00); *provided, however*, that a fee of one dollar (\$1.00) shall be paid to the commissioner for a limited agricultural permit to use explosives for blasting purposes. Such limited agricultural permits shall be issued only to persons actively engaged in agriculture and only by the local county representative of the Agricultural Extension Service of the county in which such persons are known by the said local county representative to be actively engaged in agricultural work. The said county representative shall refuse to issue any such aforesaid permit to any other person. Such limited agricultural permits shall be of two classes and shall be issued only under the conditions as follows and as herein before stated in a manner set forth by the regulations. Class “A” limited agricultural permits shall be issued to a person actively engaged in agricultural work on his own farm provided such person has complied with the following requirements:

(a) Submitted two affidavits by different persons testifying to his demonstrated ability to safely use explosives for blasting purposes,

(b) Furnished evidence of having had issued to him permits to store explosives and blasting caps by the commissioner. Class “B” limited agricultural permits shall be issued to a person to allow the use of not more than ten pounds of explosives or twenty blasting caps for blasting purposes.

Limited agricultural permit forms shall be furnished by the commissioner to the county representative and then only when requested. Copies of all such permits shall be forwarded to the commissioner by the said county representative immediately after issuance and in a manner as prescribed by the commissioner. Procurement certificates shall be issued by the local county repre-

sentative of the Agricultural Extension Service on a form and in a manner prescribed by the commissioner to any known and recognized holder of a limited agricultural permit to use explosives for blasting purposes and shall entitle such holder to procure at one time from any person who is in possession of a valid permit to sell explosives not more than the following quantities, for class "A" limited agricultural permits not more than fifty pounds of explosives, or one hundred blasting caps, or both, and for class "B" limited agricultural permits not more than ten pounds of explosives or twenty blasting caps or both. The seller of explosives shall return the procurement certificate to the county representative of the Agricultural Extension Service who issued the certificate, promptly after each sale.

3. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 391

AN ACT concerning the dissolution of sewerage authorities by any county or by one or more municipalities, and amending "An act relating to the authorization, acquisition, financing and operation of sewage disposal systems by or on behalf of any county or any one or more municipalities, providing for the creation of sewerage authorities to undertake the same, for the issuance of bonds and other obligations therefor, and for service charges to meet the expense thereof, repealing article three of chapter sixty-three of Title 40 (sections 40:63-140 et seq.) of the Revised Statutes, and supplementing Title 40 of the Revised Statutes," approved April twenty-third, one thousand nine hundred and forty-six, constituting chapter one hundred thirty-eight of the pamphlet laws of one thousand nine hundred and forty-six.

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

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

Section
amended.

4. (a) The governing body of any county may, by resolution duly adopted, create a public body corporate and politic under the name and style of "the sewerage authority," with all or any significant part of the name of such county inserted. Said body shall consist of the five members thereof, who shall be appointed by resolution of the governing body as hereinafter in this section provided, and it shall constitute the sewerage authority contemplated and provided for in this act and an agency and instrumentality of said county. After the taking effect of the resolu-

C. 40:14A-4.
County may
create sewerage
authority.

Members, terms.	tion for the creation of said body and the filing of a certified copy thereof as in subsection (d) of this section provided, five persons shall be appointed as the members of the sewerage authority. The members first appointed shall, by the resolution of appointment, be designated to serve for terms respectively expiring on the first days of the first, second, third, fourth and fifth Februarys next ensuing after the date of their appointment. On or after the first day of January in each year after such first appointments, one person shall be appointed as a member of the sewerage authority to serve for a term commencing on the first day of February in such year and expiring on the first day of February in the fifth year after such year. In the event of a vacancy in the membership of the sewerage authority occurring during an unexpired term of office, a person shall be appointed as a member of the sewerage authority to serve for such unexpired term.
Vacancies.	(b) The governing body of any municipality may, by ordinance duly adopted, create a public body corporate and politic under the name and style of "the sewerage authority," with all or any significant part of the name of such municipality inserted. Said body shall consist of the five members thereof, who shall be appointed by resolution of the governing body as hereinafter in this section provided, and it shall constitute the sewerage authority contemplated and provided for in this act and an agency and instrumentality of said municipality. After the taking effect of such ordinance and the filing of a certified copy thereof as in subsection (d) of this section provided, five persons shall be appointed as the members of the sewerage authority. The members first appointed shall, by the resolution of appointment, be designated to serve for terms respectively expiring on the first days of the first, second, third, fourth and fifth Februarys next ensuing after the date of their appointment. On or after the first day of January in each year after
Municipality may create sewerage authority.	Terms.
Members.	

such first appointments, one person shall be appointed as a member of the sewerage authority to serve for a term commencing on the first day of February in such year and expiring on the first day of February in the fifth year after such year. In the event of a vacancy in the membership of the sewerage authority occurring during an unexpired term of office, a person shall be appointed as a member of the sewerage authority to serve for such unexpired term.

Vacancies.

(c) The governing bodies of any two or more municipalities, the areas of which together comprise an integral body of territory, may, by parallel ordinances duly adopted by each of such governing bodies within any single calendar year, create a public body corporate and politic under the name and style of "the sewerage authority," with all or any significant part of the name of each such municipality or some identifying geographical phrase inserted. Said body shall consist of the members thereof, in an aggregate number determined as hereinafter in this subsection provided, who shall be appointed by resolutions of the several governing bodies as hereinafter in this section provided, and it shall constitute the sewerage authority contemplated and provided for in this act and an agency and instrumentality of the said municipalities. The number of members of the sewerage authority to be appointed at any time for full terms of office by the governing body of any such municipality shall be as may be stated in said ordinances which shall be not less than one nor more than three. After the taking effect of the said ordinances of all such municipalities and after the filing of certified copies thereof as in subsection (d) of this section provided, the appropriate number of persons shall be appointed as members of the sewerage authority by the governing body of each municipality. The members first appointed or to be first appointed shall serve for terms expiring on the first day of the fifth February next ensuing after the date of the first appointment of any member. On or after

Municipal
joint sewerage
authority.

Members.

Terms.

Vacancies.

the first day of January in the year in which expire the terms of the said members first appointed and in every fifth year thereafter, the appropriate number of persons shall be appointed as members of the sewerage authority by the governing body of each municipality, to serve for terms commencing on the first day of February in such year and expiring on the first day of February in the fifth year after such year. In the event of a vacancy in the membership of the sewerage authority occurring during an unexpired term of office, a person shall be appointed as a member of the sewerage authority to serve for such unexpired term by the governing body which made the original appointment for such unexpired term.

Filing copy of
resolution
creating
authority.

(d) A copy of each resolution or ordinance for the creation of a sewerage authority adopted pursuant to this section, duly certified by the appropriate officer of the local unit, shall be filed in the office of the Secretary of State. Upon proof of such filing of a certified copy of the resolution or ordinance or of certified copies of the parallel ordinances for the creation of a sewerage authority as aforesaid, the sewerage authority therein referred to shall, in any suit, action or proceeding involving the validity or enforcement of, or relating to, any contract or obligation or act of the sewerage authority, be conclusively deemed to have been lawfully and properly created and established and authorized to transact business and exercise its powers under this act. A copy of any such certified resolution or ordinance, duly certified by or on behalf of the Secretary of State, shall be admissible in evidence in any suit, action or proceeding.

Filing copy of
resolution
making
appointment
of members.

(e) A copy of each resolution appointing any member of a sewerage authority adopted pursuant to this section, duly certified by the appropriate officer of the local unit, shall be filed in the office of the Secretary of State. A copy of such certified resolution, duly certified by or on behalf of the Secretary of State, shall be admissible in evidence in any suit, action or proceeding and, except in a

suit, action or proceeding directly questioning such appointment, shall be conclusive evidence of the due and proper appointment of the member or members named therein.

(f) No governing body which may create or join in the creation of any sewerage authority pursuant to this section shall thereafter create or join in the creation of any other sewerage authority. No governing body of any municipality within a district shall create or join in the creation of any sewerage authority except upon the written consent of the sewerage authority and in accordance with the terms and conditions of such consent, and in the event such consent be given and a sewerage authority be created pursuant thereto, the area within the territorial boundaries of such municipality shall not thereafter be part of the district. In the event that prior to the creation of a sewerage authority of a county the governing body of any municipality located in said county shall have created or joined in the creation of a sewerage authority, the area within the territorial limits of such municipality shall not be part of the district of the sewerage authority of said county.

Not to join
in creating
another
sewerage
authority.

(g) Within ten days after the filing in the office of the Secretary of State of a certified copy of a resolution for the creation of a sewerage authority adopted by the governing body of any county pursuant to this section, a copy of such resolution, duly certified by the appropriate officer of the county, shall be filed in the office of the clerk of each municipality within the county. In the event that the governing body of any such municipality shall, within sixty days after such filing in the office of the Secretary of State, adopt a resolution determining that such municipality shall not be a part of the district of such sewerage authority and file a copy thereof, duly certified by its clerk, in the office of the Secretary of State, the area within the territorial limits of such municipality shall not thereafter be part of such district.

Copy of
resolution
filed with
clerk.

(h) The governing body of any local unit which has created a sewerage authority pursuant to sub-

May dissolve
sewerage
authorities.

section (a) or subsection (b) of this section may, in the case of a county by resolution duly adopted or in the case of a municipality by ordinance duly adopted, dissolve such sewerage authority on the conditions set forth in this subsection. The governing bodies of two or more local units which have created a sewerage authority pursuant to subsection (c) of this section may, by parallel ordinances duly adopted by each of such governing bodies within any single calendar year, dissolve such sewerage authority on the conditions set forth in this subsection. Such a sewerage authority may be dissolved on condition that (1) either the members of such authority have not been appointed or the sewerage authority, by resolution duly adopted, consents to such dissolution, and (2) the sewerage authority has no debts or obligations outstanding. Upon the dissolution of any sewerage authority in the manner provided in this subsection, the governing body or bodies dissolving such sewerage authority shall be deemed never to have created or joined in the creation of a sewerage authority. A copy of each resolution or ordinance for the dissolution of a sewerage authority adopted pursuant to this subsection, duly certified by the appropriate officer of the local unit, shall be filed in the office of the Secretary of State. Upon proof of such filing of a certified copy of the resolution or ordinance or of certified copies of the parallel ordinances for the dissolution of a sewerage authority as aforesaid and upon proof that such sewerage authority had no debts or obligations outstanding at the time of the adoption of such resolution, ordinance or ordinances, the sewerage authority therein referred to shall be conclusively deemed to have been lawfully and properly dissolved and the property of the sewerage authority shall be vested in the local unit or units. A copy of any such certified resolution or ordinance, duly certified by or on behalf of the Secretary of State, shall be admissible in evidence in any suit, action or proceeding.

2. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 392

AN ACT vesting title to real estate alleged formerly to be the property of Marcellino Della Paolera, and acquired by the State of New Jersey in the year one thousand nine hundred and thirty, in the city of Paterson, county of Passaic and State of New Jersey.

WHEREAS, The State of New Jersey acquired by Preamble.
sheriff's deed, dated September twenty-fourth, one thousand nine hundred and thirty, and recorded September thirty-first, one thousand nine hundred and thirty, in Book B-36 of Deeds for Passaic county, at page 556, by virtue of a writ of fieri facias issued in default of a recognizance made and executed to the State of New Jersey by Marcellino Della Paolera, in the court of quarter sessions of Passaic county, two tracts of land situate in the city of Paterson, county of Passaic and State of New Jersey, the second tract of which is known and designated as lot No. 46 Jasper street as laid down on the official assessment map of the city of Paterson, and more particularly described as follows:

Second Tract: Beginning at a point in the Description.
northeasterly line of Jasper street, distant 125 feet northwesterly from the northwesterly line of Totowa avenue and running thence (1) northwesterly along the northeasterly line of Jasper street 25 feet; thence (2) northeasterly parallel with Totowa avenue 100 feet; thence (3) southeasterly and parallel with Jasper street 25 feet, and thence (4) southwesterly parallel with Totowa avenue 100 feet to the place of beginning; and,

- Preamble. WHEREAS, The above described property was sold for unpaid taxes by the tax receiver of the city of Paterson at a tax sale held on April fifth, one thousand nine hundred and thirty-two, and certificate No. 128 issued to the city of Paterson in the sum of two hundred sixteen dollars and eighty-seven cents (\$216.87) and the accumulated lien up to and including 1946 taxes amounts to two thousand six hundred twenty-nine dollars and sixty-eight cents (\$2,629.68) without interest; and,
- Preamble. WHEREAS, The property consists of a three-story frame dwelling, badly in need of repair and occupied by three tenants at a monthly rental of forty-five dollars (\$45.00), which is collected by the city of Paterson, pursuant to law, and applied to the reduction of the tax lien, which rental is wholly insufficient to completely amortize the total amount of the accumulated lien and interest; and,
- Preamble. WHEREAS, The assessed valuation for one thousand nine hundred and forty-seven amounts to thirty-eight hundred dollars (\$3,800.00), for land and improvements; and,
- Preamble. WHEREAS, The property has never been used for State purposes nor was it acquired for State purposes and the State at no time has paid any taxes or made any effort to redeem the same from the said tax sale, nor has the State authorized any repairs to be made and has in no way exercised any dominion over the property and it is desired by the city of Paterson that the State of New Jersey convey all its right, title and interest in the property to the city of Paterson, so that the property may be legally disposed of.

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 the real estate formerly the property of Marcellino Della Paolera, more particularly described in the first preamble of this act, are hereby vested in the city of Paterson, county of Passaic and State of New Jersey.

Title vested
in city of
Paterson.

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

Private act.

Approved July 2, 1947.

CHAPTER 393

A SUPPLEMENT to "An act concerning the appointment, salary and tenure of special officers appointed by the prosecutor of the pleas in counties of the third class having not less than eighty-two thousand and not more than one hundred seventy-five thousand inhabitants, and supplementing chapter one hundred eighty-one of Title 2 of the Revised Statutes," approved August second, one thousand nine hundred and thirty-nine (P. L. 1939, c. 307).

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

1. The prosecutor of the pleas of any county of the third class having not less than eighty-two thousand and not more than one hundred seventy-five thousand inhabitants may designate one of the special officers appointed in said county, under the act to which this act is a supplement, as captain of county detectives who shall receive an annual salary of not less than twenty-five hundred

C. 2:181-14.1.
May appoint
captain of
county detec-
tives, salary.

dollars (\$2,500.00) and not more than forty-five hundred dollars (\$4,500.00) to be fixed by the prosecutor of the pleas, and the judge of the court of quarter sessions, with the approval of the board of chosen freeholders, of the county.

C. 2:181-14.2.
May increase
salary.

2. The salary of any person appointed or to be appointed in any such county, under the act to which this act is a supplement, may be increased by the judge of the court of quarter sessions, and the prosecutor of the pleas, of the county, with the approval of the board of chosen freeholders of the county, as follows: special officers to not more than four thousand dollars (\$4,000.00) per year and chief of county detectives to not more than five thousand dollars (\$5,000.00) per year; but no increase in salary, so fixed and approved, shall exceed more than two hundred dollars (\$200.00) per year for each year of service over two years and all such increases shall cease when the respective maximum sums herein fixed are reached.

3. This act shall take effect immediately.

Approved July 2, 1947.

CHAPTER 394

AN ACT concerning the salaries of county detectives, chiefs of county detectives and captains of county detectives in counties having more than one hundred seventy-five thousand and less than three hundred thousand inhabitants.

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

C. 2:181-23.
Salaries,
county
detectives.

1. The salaries of special officers for the detection, arrest, indictment and conviction of offenders against the law, appointed or to be appointed, and

of such special officers as are designated or shall be designated, as chief of county detectives and as captain of county detectives, in any county having more than one hundred seventy-five thousand and less than three hundred thousand inhabitants, may be increased by the judge of the court of quarter sessions, and the prosecutor of the pleas, of the county, with the approval of the board of chosen freeholders of the county, as follows: special officers to not more than four thousand dollars (\$4,000.00), the chief of county detectives to not more than five thousand dollars (\$5,000.00), and the captain of county detectives to not more than forty-five hundred dollars (\$4,500.00) per annum, to be paid, upon the certification of the prosecutor of the pleas and the judge of the court of quarter sessions, by the county treasurer.

2. This act shall take effect immediately.

Approved July 2, 1947.

CHAPTER 395

AN ACT concerning the retirement of policemen and firemen of the police and fire departments in municipalities of this State, including members of the fire departments of any fire district located in any township, and including all police officers having supervision or regulation of traffic upon county roads, and supplementing chapter sixteen of Title 43 of the Revised Statutes.

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

1. Notwithstanding the provisions of section 43:16-1 of the Revised Statutes, any member who is an executive officer may be retained in service by the governing body of the municipality, or by

C. 43:16-1.1.
May be
retained in
employment.

the director of public safety if the municipality has such a director, until such member attains the age of seventy years.

2. This act shall take effect immediately.

Approved July 2, 1947.

CHAPTER 396

AN Act concerning pension funds for county detectives in counties now or hereafter having a population of more than three hundred thousand and not more than five hundred thousand inhabitants, and supplementing article two of chapter ten of Title 43 of the Revised Statutes.

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

C. 43:10-29.3.
May become
member of
pension fund.

1. Any county detective employed in the office of the prosecutor of the pleas, of any county now or hereafter having a population of more than three hundred thousand and not more than five hundred thousand inhabitants, who, at the time of his entry into service as a county detective, had not attained the age of fifty years and who is not a member of the pension fund for county detectives of said county and who signifies in writing his desire to become a member of said pension fund to the board of chosen freeholders of the county within six months after the effective date of this act may be admitted as a member of said pension fund, if approved by the board of chosen freeholders, with the same standing as a member of said fund as if he had joined it upon his entry into such service as a county detective; *provided*, (a) that he satisfies the board of chosen freeholders that he meets the conditions required under this act; (b) that he shall pay into said fund all ac-

Proviso.

crued contributions, with interest, either in one payment or in regular semimonthly payments, under such rules and regulations as the board of chosen freeholders shall make; and (c) that he consent to the regular deductions required of other members of said fund.

2. This act shall take effect immediately.

Approved July 2, 1947.

CHAPTER 397

AN ACT concerning district courts, and supplementing Title 2, chapter thirty-two of the Revised Statutes.

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

1. When the action is on contract and defendant does not appear as provided by section 2:32-89 of the Revised Statutes, or if the defendant does appear on the return or adjourned day and admits the debt sued on, the clerk of the district court created may take oral testimony, under oath, establishing the plaintiff's claim or demand, or may take the defendant's admission of the claim or demand sued on, and enter in the minutes of the court a minute of either the nonappearance or appearance of the defendant, the taking of proof establishing the plaintiff's claim or demand when the defendant does not appear, or the admission of the claim or demand when the defendant does appear; and of the giving of judgment for the plaintiff on such proof or admission.

C. 2:32-90.1.
May enter
plaintiff's
claim.

Any application for the entry of judgment pursuant to the preceding section, when the defendant does not appear on the return or adjourned day, shall be made within two years after the re-

Cause
considered
discontinued.

turn or adjourned day, and if not so made, the cause shall be considered discontinued.

2. This act shall take effect immediately.

Approved July 2, 1947.

CHAPTER 398

AN ACT concerning fiduciaries' accounts, and amending section 3:10-18 of the Revised Statutes.

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

Section
amended.

1. Section 3:10-18 of the Revised Statutes is amended to read as follows:

Terms defined.

3:10-18. a. For the purposes of this section, "fiduciary" shall include "cofiduciary," and shall mean executor, administrator, testamentary trustee, guardian, and any other person occupying any other lawful office or employment of trust; "cofiduciary" shall mean one or more of two or more fiduciaries serving in any fiduciary capacity; "account" shall mean any intermediate or final account of any fiduciary or cofiduciary, other than any intermediate account of a guardian.

Statements
to accompany
account.

b. Whenever, in the prerogative court or in the orphans' court, in an account, or in a petition annexed to, accompanying or pertaining to an account, or in any schedule, appendix or addendum annexed to the petition or annexed to the account whether or not referred to in the petition or account as being so annexed, there shall be set forth or appear statements or lists of or information as to the securities, investments or other assets in a fiduciary's hands at the close of the period covered by the account or at any other time or times during the period covered by the account, or there shall

be so set forth or appear statements of or information as to changes made in securities, investments or other assets during the period covered by the account, or there shall be so set forth or appear allegations of or information as to other acts, transactions, matters or things, of any nature or kind, done or omitted by the fiduciary during the period covered by the account, the petition and such statements or lists of or information as to such securities, investments or other assets, and such statements of or information as to such changes in such securities, investments or other assets, and such allegations of or information as to such other acts, transactions, matters or things, shall be part of the account.

c. A decree allowing an account, upon notice according to law, shall be res adjudicata as to all exceptions which could or might have been taken to the account, and shall constitute an approval of the correctness and propriety of the account, the legality and propriety of such securities, investments and other assets, the legality and propriety of such changes in securities, investments or other assets, and the legality and propriety of all such other acts, transactions, matters and things; and also shall exonerate and discharge the fiduciary from all claims and demands of all interested parties and of all those in privity with or represented by such interested parties, except for the securities, investments and other assets in the fiduciary's hands at the close of the period covered by the account, and except insofar as exceptions to the account shall be taken and sustained, and except for assets which may come into the fiduciary's possession after the close of the period covered by the account, and except in cases where a person applying for resettlement proves mistake in the account or fraud in the procurement of the decree allowing the account.

Decree
allowing
account.

2. This act shall take effect immediately.

Approved July 2, 1947.

CHAPTER 399

AN ACT to amend "An act concerning county detectives in certain counties, and supplementing chapter one hundred eighty-one of Title 2 of the Revised Statutes," approved March twenty-second, one thousand nine hundred and forty-six (P. L. 1946, c. 32).

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

Section
amended.

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

C. 2:181-19.
Salaries,
county
detectives.

3. The person designated as chief of county detectives shall receive an annual salary of not less than four thousand dollars (\$4,000.00) and not more than five thousand dollars (\$5,000.00), any person designated as captain of county detectives shall receive, when approved by the board of chosen freeholders, an annual salary of not less than thirty-five hundred dollars (\$3,500.00) nor more than forty-five hundred dollars (\$4,500.00), and the others shall receive annual salaries of not less than twenty-five hundred dollars (\$2,500.00) and not more than four thousand dollars (\$4,000.00).

Section
amended.

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

C. 2:181-20.
Determining
amount.

4. The amount of the salaries herein provided shall be determined by the prosecutor of the pleas and a judge of the court of quarter sessions of the county, but no amount shall be so determined in excess of the minimum salary provided except as provided in section five of this act or except with the concurrence of the board of chosen freeholders and said salary shall be paid by the county treasurer in equal semimonthly installments out of funds of the county.

3. Section five of the act of which this act is amendatory is amended to read as follows: Section amended.

5. No person appointed as a special officer under authority of this act shall be eligible to receive any increase in salary over the minimum salary as fixed by this act until he shall have served two years as a county detective in the office of the prosecutor of the pleas and no increase in salary fixed by the prosecutor of the pleas or a judge of the court of quarter sessions shall exceed one hundred dollars (\$100.00) per year for each year of service over two years until a maximum of three thousand dollars (\$3,000.00) is reached, but any person who shall have served for one year as such county detective shall be eligible to receive an increase in salary of two hundred dollars (\$200.00) per year for each year of service over one year when such increase is approved by the board of chosen freeholders and all increases shall cease when the maximum amount named in this act is reached and any county detective who has served at least ten years as such prior to the effective date of this act shall be eligible to receive the maximum salary provided for in this act if approved by the board of chosen freeholders. C. 2:181-21. Salary increases.

4. This act shall take effect immediately.

Approved July 2, 1947.

CHAPTER 400

AN ACT to amend "An act to provide for the creation, setting apart, maintenance and administration of a county employees' pension fund in counties having a population exceeding eight hundred thousand inhabitants," approved April eighth, one thousand nine hundred and forty-three (P. L. 1943, c. 160).

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

Section
amended.

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

C. 43:10-18.6.
Membership:

6. The members and certain conditions of membership in the retirement system created by this act shall be as follows:

County
employees;

(a) All persons who shall hereafter become employees before they become forty-five years of age shall, after they complete three months of service, and be found physically and mentally fit to the satisfaction of the pension commission herein provided for, become members of the county employees' retirement system created under this act, and shall receive no pension or retirement allowance from any other pension or retirement system supported wholly or in part by the county, nor shall they be required to make contributions to any other pension or retirement system of said county, anything to the contrary notwithstanding.

Credit given;

Proviso;

Such persons shall not be given credit for pension purposes hereunder for any prior service; *provided, however,* that where any such employee has had prior service as an employee in any State, county or municipal position, such employee shall be given credit for pension purposes hereunder for such prior service upon written application therefor to the pension commission within one year after becoming a member of this retirement system and

upon payment into the retirement system herein provided, for a period of time equal to the length of prior service for which credit is allowed, of a sum of money equal in amount to five per centum (5%) of salary, said five per centum (5%) of salary being based upon the salary received by such employee at the time of the making of said application. Said sum of money may be paid in one lump sum or by semimonthly deductions from salary, together with the regular deductions provided by this act, until completed; *provided, however*, that such prior service shall be credited only as paid for. Upon such payment or payments being made, the county shall annually pay into the retirement system herein provided a sum of money equal in amount to the employee's principal payment, or payments. All payments aforesaid by the employee shall be made together with interest thereon at a rate to be determined by the pension commission.

Employees'
contributions;

Proviso;

(b) All employees at the time of the adoption of this act, who are under forty-five years of age and are not members of any retirement system supported wholly or in part by the county; and any official stenographic reporter and proxies of such official stenographic reporter who are serving as such at the time of the adoption of this act; may become members of the retirement system created under this act upon written application made to the pension commission before July first, one thousand nine hundred and forty-three, under one of the following two plans (B1) and (B2):

Other
employees
joining fund;

(B1) To receive credit for service rendered to the county prior to joining this retirement system such employee shall pay into this retirement system a sum of money equal to three per centum (3%) of salary received either since June first, one thousand nine hundred and twenty-nine, or since August first, one thousand nine hundred and thirty-two, depending upon which of the said two dates such employee first became eligible to membership in the county employees' retirement system of such

Prior service;

county established under "An act providing for the retirement of certain county employees in counties of the first class of this State and providing a pension for such retired county employees and their dependents," approved April twenty-second, one thousand nine hundred and twenty-nine (P. L. 1929, c. 122), or article one of chapter ten of Title 43 of the Revised Statutes; or since the date of his entrance into county service, if he became an employee after June first, one thousand nine hundred and twenty-nine; *provided, however*, that as to the official stenographic reporter and proxies of such official stenographic reporter such employee shall pay into this retirement system a sum of money equal to three per centum (3%) of salary received from the county upon order of the justice of the Supreme Court since June first, one thousand nine hundred and twenty-nine, or since the date of his entrance into such county service, if he became an employee after June first, one thousand nine hundred and twenty-nine. Such payment may be made either (1) in one sum, or (2) by equal semimonthly installments to be deducted together with each regular deduction from his salary for the retirement system provided for under this act; *provided, however*, that in case an employee chooses to pay for such prior county service by method (2), aforesaid, that is by equal semimonthly installments, such employee shall receive credit for so much of such prior county service as is thus paid for, and no more. Upon such payment or payments being made, the county shall annually pay into the retirement system herein provided for a sum of money equal in amount to the employee's principal payment. All payments aforesaid by the employee shall be made together with interest thereon at a rate to be determined by the pension commission. Any such employee who elects to become a member of this retirement system under the aforesaid plan shall, upon his application to the pension commission prior to July first, one thousand nine hundred and forty-three, be given credit for pension pur-

Proviso;

Payments;

Proviso;

County contributions;
Interest added;

Application to join;

poses hereunder for any prior service or services rendered as an employee of the State, and of any municipalities or other political subdivisions of the State, upon payment into the retirement system herein provided, for a period of time equal to the length of prior service for which credit is allowed, of a sum of money equal in amount to three per centum (3%) of salary, said three per centum (3%) of salary being based upon the salary received by such employee at the time of the making of said application. Said sum of money may be paid in one lump sum or by semimonthly deductions from salary, together with the regular deductions provided by this act, until completed; *provided, however*, that such prior service shall be credited only as paid for. Upon such payment or payments being made, the county shall annually pay into the retirement system herein provided for, a sum of money equal in amount to the employee's principal payment or payments. All payments aforesaid by the employee shall be made together with interest thereon at a rate to be determined by the pension commission.

Proviso;

(B2) The regular deductions from the salary of any employee electing to become a member under this plan (B2) shall commence upon the filing of such written application and such employee shall not receive credit for any service rendered theretofore in any State, county, or municipal office or position.

Deductions;

(c) All employees who, at the time of the adoption and approval of this act, are members of any of the following retirement systems in effect in said county:

Membership;

County employees in counties of the first class (article one of chapter ten of Title 43 of the Revised Statutes);

County detectives in counties of the first, second, third, and fifth classes (article two of chapter ten of Title 43, of the Revised Statutes);

Probation officers of counties of over eighty-three thousand inhabitants (article five of chapter ten of Title 43, of the Revised Statutes);

Sheriff's employees in counties of the first and second classes (article six of chapter ten of Title 43, of the Revised Statutes);

Sergeants-at-arms and court criers in counties of the first class (article seven of chapter ten of Title 43, of the Revised Statutes);

County superintendents of weights and measures and assistant county superintendents of weights and measures ("An act providing for the retirement of persons employed in the department of weights and measures of any county in this State, and providing a pension for such persons so retired," filed June twenty-first, one thousand nine hundred and thirty-eight (P. L. 1938, c. 397);

County park police in counties of more than two hundred thousand population (sections 40:37-157 to 40:37-174, inclusive, of the Revised Statutes);

Withdrawal;

shall on July first, one thousand nine hundred and forty-three, automatically become members of the county employees' retirement system provided for by this act and all such employees shall be deemed to agree and consent to the transfer of such membership unless they, or any one or more of them shall, before July first, one thousand nine hundred and forty-three, by written notice to the pension commission of their respective retirement systems operating in such county, elect to withdraw therefrom their contributions theretofore made, without interest. Any such members electing to withdraw from such membership shall thereafter be ineligible for membership in any retirement system of such county, or for any pension payable, in whole or in part, by funds of such county under the provisions of any statute of this State except sections 43:4-1 to 43:4-5, inclusive, of the Revised Statutes.

All such employees who become members of the county employees' retirement system provided by this act shall be given credit for pension purposes hereunder for all services, including services performed in any elective office, rendered to the county prior to July first, one thousand nine hundred and forty-three; *provided, however*, that where any such employee had theretofore agreed, under the provisions of article one of chapter ten of Title 43, of the Revised Statutes, to pay for any part or all of such service rendered to the county prior to July first, one thousand nine hundred and forty-three, the transfer of such employee's membership into this system shall include the transfer to this system of all the conditions and obligations of such prior agreement made by such employee and such employee shall be deemed to agree and consent to the transfer to this system of such conditions and obligations until the conditions of such agreement have been fully complied with.

Credit for
prior service;

Proviso;

Except as otherwise provided by section eight of this act, where any such employee's membership shall be transferred to this retirement system on July first, one thousand nine hundred and forty-three, such employee shall be given credit for pension purposes hereunder for any prior service or services rendered as an employee of the State and of any municipalities or other political subdivisions of the State, upon application therefor to the pension commission within one year after the transfer of such membership, and upon payment into the retirement system herein provided, for a period of time equal to the length of prior service for which credit is allowed, of a sum of money equal in amount to three per centum (3%) of salary, said three per centum (3%) of salary being based upon the salary received by such employee at the time of the making of said application. Said sum of money may be paid in one lump sum or by semimonthly deductions from salary, together with the regular deductions provided by this act, until completed; *provided, however*, that such prior serv-

Prior service
recognized;

Proviso;

ice shall be credited only as paid for. Upon such payment or payments being made, the county shall annually pay into the retirement system herein provided a sum of money equal in amount to the employee's principal payment or payments. All payments aforesaid by the employee shall be made together with interest thereon at a rate to be determined by the pension commission.

Conditions of
membership;

(d) Any person who at the time of the adoption of this act shall be a county employee and not a member of this retirement system and who became a county employee prior to such employee reaching the age of forty-five years, may become a member of this retirement system upon written application made to the pension commission within one year after the adoption of this act upon such employee complying with all of the following conditions.

Medical
examination;

(D1) Submit to a medical examination and be found mentally and physically fit to the satisfaction of the pension commission.

Contributions;

(D2) Pay into this retirement system, in addition to the regular deductions provided by this act, a sum of money equal to five per centum (5%) of salary received by such employee for the period of time elapsing since such employee became forty-five years of age, said five per centum (5%) of salary being based upon the salary received by such employee at the time of the making of application for membership in this system. Said sum of money must be paid in one lump sum, together with interest thereon at a rate to be determined by the pension commission, and upon the same being paid, the county shall, within a reasonable time thereafter, pay into this retirement system a sum of money equal in amount to such employee's principal payment. Upon making the aforesaid payment, such employee shall be given credit for pension purposes for such period of prior service rendered to the county since he became forty-five years of age.

Credit for
prior service;

3. Receive no credit for county service rendered prior to reaching the age of forty-five years but be given the option of buying such prior service credits for pension purposes upon written application made therefor to the pension commission within one year after becoming a member of this retirement system and upon payment into this retirement system, of a sum of money equal in amount to three per centum (3%) of the salary received by such employee during the period of time for which service credits for pension purposes is allowed. At the time such employee applies for service credits for pension purposes, such employee may elect to pay said sum of money in one lump sum or by semimonthly deductions from salary, together with the regular deductions provided by this act, until completed; *provided, however, that* such prior service shall be credited only as paid for. Upon such payment or payments being made, the county shall annually pay into this retirement system a sum of money equal in amount to the employee's principal payment, or payments. All payments aforesaid by the employee shall be made together with interest at a rate to be determined by the pension commission.

May buy
county prior
service.

Proviso.

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

Section
amended.

16. A fund to pay pensions under this act shall be created as follows:

C. 43:10-18.16.

Formation
of fund:

(a) The county treasurer shall deduct from every payment of salary to any county employee who is or becomes a member of this retirement system and pay to the fund, five per centum (5%) of the amount of said salary. Such deductions shall be continued to be made during the entire period of employment of the member and until the death or retirement of said member; *provided, however, that* such deductions shall be continued for a total period of at least twenty-five years, and in the event that such death or retirement occurs before the completion of the twenty-five-year period, the five per centum (5%) deduction

Salary
deductions;

Proviso;

shall thereafter be continued to be made upon the amount of pension payments resulting from such death or retirement until the end of such twenty-five-year period shall have been reached. The period during which any employee contributed to any county retirement system which under this act is merged into the retirement system herein provided for or the period of prior service for which any employee contributes to this retirement system, shall be considered as part of the twenty-five-year period herein referred to.

Not to reduce
salary;

The deductions provided herein for pension purposes shall not be construed as reduction in the salary or compensation of any member of this retirement system.

Continuance
in service;

Every employee to whom this act applies who shall continue in the service after the adoption and approval of this act, as well as every person to whom this act applies who may hereafter be appointed to a position or place, shall be deemed to consent and agree to the deductions made and provided for herein and payment with such deductions, for service, shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all services rendered by such person during the period covered by such payment except his or her claim to the benefits to which he or she may be entitled under the provisions of this act.

County
contributions;

(b) The board of chosen freeholders shall annually raise in the county budget and contribute annually to the fund an amount equal to five per centum (5%) of all of such county employees' salaries or pension payments as the case may be. Such payment shall be continued to be made during the entire period of employment of each member and until the death or retirement of each member; *provided, however*, that such payments shall be continued in each case for a total period of at least twenty-five years and in the event that a member dies or retires before the completion of the twenty-five-year period, the five per centum (5%) pay-

Proviso;

ments shall thereafter be continued to be made upon the amount of pension payments resulting from such death or retirement until the end of such twenty-five-year period shall have been reached.

All moneys donated for the purpose of the funds shall be deposited in the fund.

(c) All interest earned on investments of moneys of this retirement system shall be credited to this pension fund. Donations;

(d) All moneys required to meet the county contributions provided for in this and all other sections of this act shall be raised annually in the county budget by the board of chosen freeholders and if at any time there is not sufficient money to meet these requirements and pay the pensions, the board of chosen freeholders shall, from time to time, include in any tax levy a sum sufficient to meet the requirements of the retirement system. Raising county's share.

(e) If in any one year the expenditures required to be made from the fund created under this act are in excess of the moneys received by said fund during that year under the provisions of subsections (a), (b) and (c) of this section, the board of chosen freeholders of the county may, in its discretion, appropriate, raise by taxation and pay over to said fund a sum or sums of money sufficient to partially or wholly reimburse said fund for the amount so expended in excess of moneys received for that year. May raise deficit by taxation.

3. This act shall take effect immediately.

Approved July 2, 1947.

CHAPTER 401

AN ACT concerning companies formed for the purpose of constructing, maintaining and operating bridges over the Delaware river, and their successors, and amending section 48:5-18 of the Revised Statutes.

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

Section
amended.

1. Section 48:5-18 of the Revised Statutes is amended to read as follows:

General
powers:

48:5-18. Every company incorporated, organized or existing under this article shall have power:

Construct
bridges;

a. To construct, maintain and operate its bridge or bridges.

Surveys, right
of entry;

b. To locate and determine its route and works, and, for that purpose, to make such surveys and tests for its proposed bridge or bridges as may be necessary to the selection of the most advantageous location, and to enter upon lands and waters of any person, doing no unnecessary injury to private or other property, and subject to responsibility for all damages which shall be done thereto.

Eminent
domain;

c. Upon obtaining written permission of the board of public utility commissioners, to condemn and take the land necessary for its business, in accordance with chapter one of the Title Eminent Domain (§20:1-1 et seq.).

Acquisition of
real estate;

d. To acquire from time to time and to hold, operate and use all such real estate and other property or any interest therein, and any existing ferry companies or the rights and properties thereof, or any interest therein as may, in the judgment of its directors, be necessary for the purpose of the construction, maintenance and operation of its bridges, or to accomplish the objects of its incorporation, and to sell land, rights or property thus acquired, when not necessary for such purposes and objects.

e. To borrow such sums of money as shall be necessary to construct, improve, extend or repair its bridges, and to furnish all lands and other property necessary for its purposes, and for such purpose to issue and sell its bonds secured by mortgage on its lands, bridges, chattels, franchises and appurtenances. No such company shall plead any statute against usury in any action at law or in equity to enforce the payment of a bond or mortgage executed under the provisions of this section. In the case of any such company in this State, the amount of whose debts shall have been limited by special law, the written consent of the holders of at least two-thirds of all of its stock shall be obtained before any mortgage shall be executed. A person who shall issue bonds of any such company to an amount greater than that authorized by law shall be guilty of a misdemeanor. Where a mortgage on a bridge right of way and franchise includes chattels, it shall be sufficient notice and evidence thereof to record the same as a mortgage on real estate.

Borrow
money;

f. In the manner or mode of procedure and with the effect and subject to the restrictions and liabilities prescribed by Title 14, Corporations, General, and as fully and completely as a corporation organized under said Title 14, to purchase, take by devise or bequest, hold and convey real and personal property, inside or outside of this State, and mortgage any such real or personal property, and its franchises, to sell or exchange all or substantially all of its property and assets, including its good-will, to lease its property and franchises to any other corporation, to purchase and dispose of the stock of any other corporation and pay therefor, to enter into, effect and carry out a joint agreement with any other corporation or corporations for their merger or consolidation, and to dissolve or be dissolved and be wound up.

Corporate
powers;

The powers and privileges conferred upon any such company and described in subparagraph f of this section shall be vested in such company and

Exercise
of powers.

may be fully and completely exercised by it at its discretion notwithstanding any restriction, limitation, condition or other provision in this article contained or implied, but in the event of conveyance or mortgage of any bridge constructed by such company or the sale or exchange of all or substantially all of its property and assets or the effecting and carrying out of a joint agreement with any other corporation or corporations for their merger or consolidation or the dissolution and winding up of such company, any person, partnership, corporation or public body thereby acquiring such bridge or otherwise succeeding to the rights, privileges, powers and franchises of such company with respect to such bridge (hereinafter called "successor") and the successor's right, title and interest in and to such bridge shall be subject to and governed by all of the restrictions, limitations, conditions or other provisions in this article contained or implied and such successor shall, for all the purposes of this section and sections 48:5-19 to 48:5-24, inclusive, of this article, be deemed to be a company incorporated, organized or existing under this article; *provided, however*, that if such successor be this State, or any county or municipality thereof, or any bridge commission, bridge authority, public officer, board, commission or agency, or other public body, created by or in any such State, county or municipality, then and in such case (1) the power and privilege conferred by the provisions of section 48:5-19 of this article upon the company and any successor to demand and receive sums of money for the use of such bridge and for other services connected with such bridge shall cease and determine at the expiration of forty-five years after the opening of such bridge for public use, and in consideration thereof (2) such bridge and the necessary approaches and appurtenances thereto shall not be subject to acquisition by, or be subject to becoming the property of, any State or States, municipality or municipalities, under the terms and

Proviso.

provisions of sections 48:5-22, 48:5-23 or 48:5-24 of this article, and the right, title and interest of such State, county, municipality, bridge commission, bridge authority, or public officer, board, commission, agency or body in and to such bridge shall be perpetual.

2. This act shall take effect immediately.

Approved July 2, 1947.

CHAPTER 402

AN ACT concerning district courts, and amending section 2:32-356 of the Revised Statutes.

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

1. Section 2:32-356 of the Revised Statutes is amended to read as follows: Section amended.

2:32-356. An action in the division of small claims shall be commenced by plaintiff therein paying to the clerk a summons fee of two dollars and ten cents (\$2.10) for one defendant, and of forty cents (\$0.40) for each additional defendant, and the mileage fees provided in section 22:2-44 of the Revised Statutes. He shall, at the same time, deliver to the clerk a statement of his claim, signed by himself or his attorney. The signature of the plaintiff or his attorney shall constitute the commencement of the action. Commencement of action, fees.

Plaintiff or his attorney shall also state to the clerk plaintiff's and defendant's place of residence, usual place of business and place of employment, or so much thereof as the clerk shall deem necessary, including street and number, if any, all of which the clerk shall note in his docket. Plaintiff's statement.

2. This act shall take effect immediately.

Approved July 2, 1947.

CHAPTER 403

AN ACT concerning reports and investigations of the circumstances of death and the treatment of dead bodies, in certain cases, and repealing "An act concerning county physicians in counties having no medical examiner, and supplementing chapter twenty-one of Title 40, of the Revised Statutes," approved May sixth, one thousand nine hundred and forty-six (P. L. 1946, c. 304), and supplementing chapter twenty-one of Title 40 of the Revised Statutes.

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

C. 40:21-26.6.
County
physician
notified
of death.

1. When, within any county in which there is a county physician, any person shall die in prison, or by casualty or suicide, or suddenly when in apparent health, or when unattended by a physician, or within twenty-four hours after admission to a hospital or institution, or in a suspicious or unusual manner, or under any of the above circumstances in any institution located in the county, maintained in whole or in part at the expense of the State or county, the police department of the municipality in which he died, or the superintendent or medical director of the institution in which he died, or the physician called in attendance, or the undertaker when no physician is in attendance, shall immediately notify the office of the county physician of the known facts concerning the time, place, manner and circumstances of the death.

C. 40:21-26.7.
Investigation.

2. Immediately upon receipt of such notification, the county physician shall fully investigate the essential facts concerning the death. If necessary, he shall go to the dead body and take charge thereof. The county physician shall fully investi-

gate the death, taking the names and addresses of as many witnesses thereof as it may be practicable to obtain, and before leaving the premises shall reduce all such facts to writing. This report shall be copied in his office in a book provided for that purpose.

3. All the duties imposed upon, and all powers vested in, coroners in connection with the death of any unknown or unclaimed person who shall have died in any county in which there shall be a county physician, or in connection with the death of any person in such county by violence, or by casualty or suicide, or suddenly when in apparent health, or when unattended by a physician, or within twenty-four hours after the admission of such person to any hospital or institution or prison, or in any suspicious unusual manner, or under any of the above circumstances in any institution located in such county maintained in whole or in part at the expense of the State or county, shall be imposed upon and vested in the county physician, except that the county physician shall not be authorized or required to summon a jury of inquisition.

C. 40:21-26.8.
Duties of
coroners
transferred
to county
physician.

4. A citizen who may become aware of any person who shall have died of criminal violence, or by casualty or suicide, or in any suspicious or unusual manner, shall report such death to the office of the county physician, or to the police department of the municipality in which such person died or his body was found.

C. 40:21-26.9.
Citizen to
notify.

5. A person who shall willfully neglect or refuse to report such death or, without an order from the office of the county physician, shall willfully touch, remove or disturb the body of any such person, or touch, remove or disturb the clothing or any article, upon or near such body, shall be guilty of a misdemeanor.

C. 40:21-26.10.
Failure to
notify a
misdemeanor.

6. "An act concerning county physicians in counties having no medical examiner, and supplementing chapter twenty-one of Title 40 of the Revised

C. 40:21-26.11.
Ch. 304,
P. L. 1946,
repealed.

Statutes," approved May sixth, one thousand nine hundred and forty-six, is repealed.

7. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 404

AN ACT concerning reports and investigation of the circumstances of death, and the treatment of dead bodies, in certain cases and repealing "An act concerning coroners in counties having no medical examiner or county physician, and supplementing chapter forty of Title 40 of the Revised Statutes," approved May third, one thousand nine hundred and forty-six (P. L. 1946, c. 275), and supplementing chapter forty of Title 40 of the Revised Statutes.

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

C. 40:40-28.5.
Notice to
coroner of
death.

1. When, within any county having no medical examiner or county physician, any person shall die in prison, or by casualty or suicide, or suddenly when in apparent health, or when unattended by a physician, or within twenty-four hours after admission to a hospital or institution, or in a suspicious or unusual manner, or under any of the above circumstances in any institution located in the county maintained in whole or in part at the expense of the State or county, the police department of the municipality in which he died, or the superintendent or medical director of the institution in which he died, or the physician called in attendance, or the undertaker when no physician is in attendance, shall immediately notify the office of one of the coroners of the county of the known

facts concerning the time, place, manner and circumstances of the death.

2. Immediately upon receipt of such notification, the coroner shall fully investigate the essential facts concerning the death. If necessary, he shall go to the dead body and take charge thereof. The coroner shall fully investigate the death, taking the names and addresses of as many witnesses thereof as it may be practicable to obtain, and before leaving the premises shall reduce all such facts to writing. This report shall be copied in his office in a book provided for that purpose.

C. 40:40-28.6.
Investigation.

3. A citizen who may become aware of any person who shall have died of criminal violence, or by casualty or suicide, or in any suspicious or unusual manner, shall report such death to the office of one of the coroners of the county or to the police department of the municipality in which such person died or his body was found.

C. 40:40-28.7.
Citizen to
notify.

4. A person who shall willfully neglect or refuse to report such death or, who without an order from the office of the coroner, shall willfully touch, remove or disturb the body of any such person, or touch, remove or disturb the clothing or any article, upon or near such body, shall be guilty of a misdemeanor.

C. 40:40-28.8.
Failure to
notify a
misdemeanor.

5. "An act concerning coroners in counties having no medical examiner or county physician, and supplementing chapter forty of Title 40 of the Revised Statutes," approved May third, one thousand nine hundred and forty-six, is repealed.

C. 40:40-28.9.
Ch. 275,
P. L. 1946,
repealed.

6. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 405

AN ACT to clarify and settle the boundaries of the borough of Seaside Park, in the county of Ocean.

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

Description of
boundary line.

1. The boundaries of the borough of Seaside Park, in the county of Ocean, are hereby clarified and settled to be as follows:

Beginning at the intersection of the easterly shore of Barnegat Bay with the center line of 14th avenue and being the southwesterly corner in the boundary line of the borough of Seaside Park, thence (1) westwardly along the center line of 14th avenue if extended, and being also the extended southerly boundary line of the borough of Seaside Park, the distance of 740 feet more or less to a point in Barnegat Bay which is distant 2,600 feet measured westwardly along the southerly boundary line of the borough of Seaside Park from the center line of Central avenue, Seaside Park, as laid down on plan of Seaside Park, made by Fowler and Lummis, C. E., filed in the Ocean County Clerk's Office, December 6, 1884; thence (2) northwardly at right angles to the southerly boundary line of the borough of Seaside Park and being also parallel with the center line of Central avenue as aforesaid, the distance of 8,905.81 feet to a point in the boundary line between the borough of Seaside Park and the borough of Seaside Heights, if extended westwardly; thence (3) eastwardly along the boundary line between the borough of Seaside Park and the borough of Seaside Heights extended westerly to a point in the easterly shore of Barnegat bay which point is in Porter avenue and being also the northwesterly corner in the boundary line of the borough of Seaside Park; thence (4) in a general easterly direction along the boundary line between the boroughs of Seaside Park and Seaside

Heights to the high water line of the Atlantic ocean; thence (5) in a general southerly direction along the high water line of the Atlantic ocean the several courses thereof to the present southeasterly corner of the borough of Seaside Park; thence (6) in a general westerly course, along the southerly line of the borough of Seaside Park to the point or place of beginning.

2. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 406

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

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

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 an election for the first members of the commission and at least forty days prior to any other municipal election, except that during the present war such filing shall be at least seventy-five days prior to any such other municipal election. The petition of nomination shall consist of individual certificates equal in number to at least one-half of one per centum ($\frac{1}{2}$ of 1%) of the entire vote cast at the last preceding general election, but in no event less than twenty-five. Nomination by petition, nature and sufficiency.

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

2. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 407

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

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

Section
amended.

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

Nomination
of candidates.

40:84-5. At least fifteen days prior to such election, the names of candidates for councilman shall be filed with the municipal clerk in the manner and form and under the conditions hereinafter set forth; except that for the duration of the present war and six months thereafter the petition of nominations shall be filed seventy-five days prior to such an election, other than an election for the first members of the municipal council. The petition of nominations shall consist of individual certificates, equal in number to at least one-half of one per centum ($\frac{1}{2}$ of 1%) of the number of persons who voted at the last preceding general election and shall read substantially as follows:

Form of
petition.

Form of petition. a. "I, the undersigned, a qualified elector of the municipality of

....., residing at
, certify that I do hereby join
 in a petition for the nomination of
, whose residence is at
, for the office of
 councilman, to be voted for at the election to
 held in such municipality on the
, 19...., and I further certify
 that I know this candidate to be a qualified
 elector of said municipality and a man of good
 moral character, and qualified, in my judg-
 ment, to perform the duties of such office and I
 further certify that I have not signed more
 petitions or certificates of nominations than
 there are places to be filled for the above office.
 (Signed)"

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

Signatures and affidavits.

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

Blank petitions furnished.

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

Rejection of petition.

Defective and amended petition. e. When such a petition of nomination is presented for filing to

Defective and amended petition.

the municipal clerk, he shall forthwith examine the same and ascertain whether it conforms to the provisions of this section, and if not found in conformity thereto, he shall designate the defect and return the petition to the person making the oath. Such petition may again be presented when properly amended if this can be done at least fifteen days before the election; except that for the duration of the present war and six months thereafter such amended petition of nominations shall be filed seventy-five days prior to any such election, other than an election for the first members of the municipal council.

2. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 408

AN ACT relating to conveyances of real estate between husband and wife, and amending section 37:2-18 of the Revised Statutes.

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

Section
amended.

1. Section 37:2-18 of the Revised Statutes is amended to read as follows:

Conveyance
between
husband
and wife.

37:2-18. A married man may convey real estate or any interest therein directly to his wife, and a married woman may convey real estate or any interest therein directly to her husband; and every such conveyance of real estate or any interest therein, located in this State, heretofore or hereafter made, shall be valid and effective in law and equity to convey the grantor's title and interest therein and thereto, whether both the grantor and grantee or either, respectively, shall have resided at the time of such conveyance within or without

this State, and notwithstanding the wife or the husband, respectively, did not or does not join therein and acknowledge the same as prescribed by law. Any such conveyance heretofore or hereafter made shall convey the entire estate and interest of a married man or married woman in lands held by such husband and wife as tenants by the entirety, including the right of survivorship; and any conveyance heretofore or hereafter made by a married man or married woman to himself or herself and spouse of any real estate held in fee in severalty by such married man or married woman shall be construed to vest an estate by the entirety in such husband and wife, in fee.

2. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 409

AN ACT concerning veterans, and amending section 3:32-1 of the Revised Statutes.

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

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

3:32-1. Any veteran may be committed for treatment in a United States veterans' administration hospital, in the manner now provided by law for commitment of mental incompetents to State institutions, upon the filing of an application in writing by the person interested in the admission of the veteran by reason of relationship or marriage, or by the person having the charge or care of such veteran, or by the sheriff, or by the overseer of the poor or person charged with the care and relief of the poor, or by any chief of police or police captain of any municipality in this State where Commitment to veterans' hospital.

such veteran may be, or by the chief executive officer of any correctional institution, or of any public or private charitable institution or hospital in which the veteran may be, or by the commissioner of institutions and agencies. Said application may be presented to any judge of any court of common pleas in this State, or to any judge of any court of juvenile and domestic relations in this State, irrespective of the residence of the veteran to be committed. The order shall not be entered until the official in charge of such hospital shall certify to the court that facilities are available for such treatment, and that the veteran affected is eligible for such treatment. Notice of a pending proceeding shall be furnished the person to be committed and his right to appear and defend shall not be denied.

2. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 410

AN ACT to amend "An act concerning district courts, and supplementing chapter eight of Title 2 of the Revised Statutes," approved May second, one thousand nine hundred and forty-five (P. L. 1945, c. 278).

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

Section
amended.

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

C. 2:8-48.7.
Salary,
court clerks.

7. The clerk shall receive an annual salary of not less than five thousand dollars (\$5,000.00), or more than six thousand dollars (\$6,000.00), and each deputy clerk shall receive an annual salary of four thousand dollars (\$4,000.00), with yearly incre-

ments of increase of two hundred dollars (\$200.00) until an annual salary of five thousand dollars (\$5,000.00) is reached, and thereafter shall receive an annual salary of five thousand dollars (\$5,000.00), except that any deputy clerk so appointed who, on March first, one thousand nine hundred and forty-five, received an annual salary of more than four thousand dollars (\$4,000.00) and less than five thousand dollars (\$5,000.00) as clerk of a district court of a municipality or a judicial district existing in said county immediately prior to the establishment of such judicial district for the county shall receive the same annual salary as such deputy clerk as he received as clerk of such district court, but shall not receive any yearly increment of increase of such salary until the salary of another deputy clerk shall reach a like amount.

2. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 411

AN ACT concerning the State Employees' Retirement System of New Jersey, and amending section 43:14-14 of the Revised Statutes.

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

1. Section 43:14-14 of the Revised Statutes is amended to read as follows: Section amended.

43:14-14. The contingent reserve fund shall be the fund in which shall be accumulated the reserves necessary to pay all pension and death benefits allowable, which are provided by the State. Contingent reserve fund.

a. Upon the basis of such tables as the board adopts, and regular interest, the actuary of the

board shall compute annually the amount of contribution, expressed as a proportion of the compensation paid to all employees, which, if paid monthly during the entire prospective service of the employees, will be sufficient to provide for the pension reserves required at the time of discontinuance of active service to cover all pensions to which they may be entitled or which are payable on their account and to provide for the amount of the death benefits payable on their account by the State, which are not covered by accrued liability contributions, to be made as provided in paragraph b hereof, and the funds in hand available for such benefits. Such proportion of salary shall be computed to remain constant during their prospective active service.

b. Upon the basis of such tables as the board adopts, and regular interest, the actuary of the board shall compute, annually, the amount of the liability which has accrued by reason of allowances granted or to be granted on account of services rendered by members prior to the establishment of the retiring system, which has not already been covered by State accrued liability contributions. Using the total amount of this liability remaining on account of all members in the fund as a basis, he shall compute the amount of the flat annual payment, which, if paid in each succeeding fiscal year to and including the year one thousand nine hundred and forty-six will provide for this liability. This annual payment shall be known as the State accrued liability contribution.

c. The board shall estimate and certify annually the aggregate amount payable to the contingent reserve fund in the ensuing year, which amount shall be equal to the sum of the proportion of the earnable compensation of all members, computed as described in paragraph "a" hereof and of the State's accrued liability contribution, payable in the ensuing fiscal year, as described in paragraph "b" hereof. The State shall pay into the contingent reserve fund during the ensuing year the

amount so determined. The cash death benefits, payable as a result of contribution by the State under the provisions of this chapter upon the accidental death of a member in active service, shall be paid from the contingent reserve fund.

2. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 412

AN ACT to grant and release the title and interest of the people of the State of New Jersey in and to certain real estate in the county of Hudson and State of New Jersey, and to vest the same in the city of Jersey City.

WHEREAS, Lucy Marie Ficken, of the county of Hudson and State of New Jersey, died seized of certain lands and premises, which it is alleged escheated to the State of New Jersey; and

Preamble.

WHEREAS, The city of Jersey City purchased a tax sale certificate from Michael Rochford, city collector, on July twenty-second, one thousand nine hundred and forty, which tax sale certificate the city of Jersey City foreclosed and a final decree was entered in the Court of Chancery of New Jersey on February tenth, one thousand nine hundred and forty-seven, in favor of the city of Jersey City; and

Preamble.

WHEREAS, Proper notice of intention to apply for the passing of this act has been given; now, therefore,

Preamble.

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

Title vested in
Jersey City.

1. That the said State of New Jersey and the people thereof do hereby transfer and grant to the city of Jersey City, its successors and assigns forever, all the estate, right, title and interest of every kind and nature of which it is alleged the State of New Jersey is seized, in and to certain real estate, situated in the city of Jersey City, county of Hudson and State of New Jersey, and more particularly described as follows:

Description.

All that certain piece or parcel of land hereinafter particularly described, situate, lying and being in the City of Jersey City, County of Hudson, N. J. and which on a map entitled "Map of Chelsea situate in Hudson City (now Jersey City) Hudson County, N. J. Surveyed and laid out into lots by John Fouquet, Surveyor and engineer of Jersey City now on file in the Clerk's Office of said County of Hudson and designated and known as lot #18 in block No. 3.

Said lot being 25 feet wide in front and rear by 100 feet deep throughout and fronting and facing on the northerly side of Poplar Street between Nelson (late Grand) Avenue and Bergenwood Avenue and on the City Map of Jersey City is known as lot 18 block 892.

Being also known as lot number 18, in block 892 on the map aforesaid; and being also known as and by the street number 104 Poplar Street.

Description.

All that certain piece or parcel of land hereinafter particularly described, situate, lying and being in the City of Jersey City, County of Hudson, N. J. and which on a map entitled "Map of Chelsea" situate in Hudson City (now Jersey City) Hudson County, N. J., surveyed and laid out into lots by John Fouquet, surveyor and engineer of Jersey City now on file in the Clerk's Office of said County of Hud-

son and designated, distinguished and known as lot #17 in block #3.

Said lot being 25 feet wide in front and rear by 100 feet deep throughout and fronting and facing on the northerly side of Poplar Street between Nelson (late Grand) Avenue and Bergenwood Avenue and on the City Map of Jersey City is known as lot 17 block 892.

Being also known as lot 17, in block 892 on the map aforesaid; and being also known as and by the street number 102 Poplar Street.

2. The said title of the State of New Jersey and the people thereof arising by reason of said escheat to be henceforth vested in fee in the said city of Jersey City. Title in fee.

3. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 413

AN ACT concerning the assessment and collection of taxes, amending sections 54:3-20, 54:4-1 and 54:4-47 of the Revised Statutes 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. In any year or in the next succeeding year, the county board of taxation may, in accordance with the provisions of this act, assess any taxable property omitted from the assessment for the particular year. C. 54:4-63.12. Assessing omitted property.

2. On the written complaint of the collector of taxes, or any taxpayer, of the taxing district, or of the governing body thereof, or upon a resolution C. 54:4-63.13. Complaint and hearing.

- by the county board of taxation, of its own motion, the county board of taxation shall hear the matter. Any such complaint or motion shall specify the property alleged to have been omitted and the particular year of the assessment. At least five days notice in writing shall be given to the owner of the property of the time and place of the hearing and the notice shall specify the property alleged to have been omitted and the particular year of the assessment. The notice may be served by registered mail. The collector shall present such complaints and serve such notices as the governing body may direct and shall attend before the county board of taxation and subpoena proper witnesses and pay their fees. He shall receive reimbursement therefor and two dollars (\$2.00) for every day he shall attend for his services from the taxing district.
- Notice.**
- Fee.**
- C. 54:4-63.14.**
Hearing and judgment.
3. At the time and place of the hearing or of the adjournment thereof and upon proof of the service of the notice, the county board of taxation shall hear the matter in a summary manner and shall render such judgment as shall be proper upon the proofs presented. A copy of the judgment shall be sent to the assessor of the taxing district and to the owner of the property.
- C. 54:4-63.15.**
Assessment.
4. If the county board, by its said judgment, shall determine that the property specified was omitted from the assessment for the particular year, the amount of the assessment shall be fixed by the judgment and the omitted property shall thereupon be assessed for the particular year in such amount. The amount of the assessment shall be entered by the assessor as an omitted assessment against such property in an "Omitted property assessment list, 19....," according to the particular year.
- C. 54:4-63.16.**
Form of listing of assessments.
5. The omitted assessment list and the listing of assessments therein shall follow such forms and methods as may be prescribed by the director of the division of taxation in the State Department of Taxation and Finance.

6. On October first in any year wherein prior thereto the county board of taxation shall have rendered a judgment assessing omitted property for that year or the preceding year, the assessor shall file the omitted assessment list and a true copy thereof, to be called the "Assessor's omitted property assessment duplicate," with the county board of taxation. The county board of taxation shall examine, revise and correct the omitted assessment lists and duplicates, if any be filed, and, on or before October tenth in each year, cause the corrected, revised and completed duplicate, if any, certified by it to be a true record of the omitted taxes assessed, to be delivered to the collectors of the taxing districts in the county, affected by such omitted assessments and the omitted property assessment lists shall remain in the office of the board as a public record.

C. 54:4-63.17.
List filed.

7. Omitted assessments shall be entered in the appropriate columns upon the omitted 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 similar property was taxed for the particular year.

C. 54:4-63.18.
Entered in
appropriate
columns.

8. As soon as an omitted property 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 therefor to the owners whose property has been assessed as omitted for the particular year; and shall complete that work at least one week before November first. The validity of any such 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, to whom a copy of any such judgment of a county board of taxation is sent, is put upon notice to ascertain from the proper official of the taxing district the amount which may be due for taxes upon the assessment of the omitted property according to such judgment.

C. 54:4-63.19.
Tax bills.

C. 54:4-63.20.
Date for
payment.

Proviso.

9. Taxes assessed upon omitted property shall be payable on the first day of November following the rendering of the judgment of assessment by the county board of taxation; *provided*, such judgment be rendered before October first of that year. When the judgment of the county board of taxation is rendered subsequent to October first and prior to December thirty-first, the taxes assessed upon omitted property shall be payable on the first day of November in the following year. After the date when such taxes become payable, if unpaid, they shall become delinquent. Any such taxes, if upon real property, shall become a lien upon the real property assessed, from January first of the year in which the judgment of the county board of taxation shall be rendered.

C. 54:4-63.21.
Accounting
for tax.

10. All taxes on account of assessments entered in the omitted property assessment list shall be collected and accounted for in the same manner as other taxes.

C. 54:4-63.22.
Payment
to county.

11. 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, if any, in the omitted property assessment list for the previous year by the county and State rate for the particular year of the assessment, and such amount shall be for the use of the county.

C. 54:4-63.23.
Review of
judgment.

12. And judgment of the county board of taxation assessing omitted property for a particular year may be reviewed by the Division of Tax Appeals in the State Department of Taxation and Finance, upon an appeal taken by the taxing district, owner or other interested party, taken and prosecuted in the same manner as other appeals to said division are taken and prosecuted; *provided*, the notice of appeal be filed with said division on or before the first day of December following the rendering of the judgment by the county board of taxation or within three months from the time of the rendering of such judgment, whichever date is the later.

Proviso.

13. Section 54:3-20 of the Revised Statutes is amended to read as follows:

Section
amended.

54:3-20. The county board of taxation shall have the power to hear and determine matters of taxable property omitted from assessments.

County boards
empowered.

14. Section 54:4-1 of the Revised Statutes is amended to read as follows:

Section
amended.

54:4-1. All property real and personal within the jurisdiction of this State not expressly exempted from taxation or expressly excluded from the operation of this chapter shall be subject to taxation annually under this chapter at its true value, and shall be valued by the assessors of the respective taxing districts. An executory contract for the sale of land, under which the vendee is entitled to or does take possession thereof, shall be deemed, for the purpose of this act, a mortgage of said land for the unpaid balance of purchase price. Personal property taxable under this chapter shall include, however, only tangible goods and chattels and shall not include any intangible personal property whatsoever whether or not such personalty is evidenced by a tangible or intangible chose in action, except as otherwise required by sections 54:4-20, 54:4-21 and 54:4-22 hereof. Property omitted from any assessment may be assessed by the county board of taxation within such time and in such manner as shall be provided by law. All property shall be assessed to the owner thereof with reference to the amount owned on October first in each year, and the person so assessed for personal property shall be personally liable for the taxes thereon.

Property
subject to tax.

Date of
assessment.

15. Section 54:4-47 of the Revised Statutes is amended to read as follows:

Section
amended.

54:4-47. The county board may adjourn from time to time in the discharge of its duties, and may, after investigation, revise, correct and equalize the assessed value of all property in the respective taxing districts, increase or decrease the assessed value of any property not truly valued, assess property omitted from any assessment, as pro-

Revision and
equalization.

vided by law, at its true value, and in general do everything necessary for the taxation of all property in the county equally and at its true value.

C. 54:4-63.24.
Application
of act.

16. This act shall be applicable to assessments for property omitted from assessments for the year one thousand nine hundred and forty-seven and thereafter.

C. 54:4-63.25.
Act effective.

17. This act shall take effect July first, one thousand nine hundred and forty-seven.

Approved July 3, 1947.

CHAPTER 414

AN ACT concerning elections, and supplementing subtitle six of Title 19 of the Revised Statutes.

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

C. 19:31-13.1.
Notification,
forms placed
in inactive file.

1. When a person appears to register in any county of this State, and in answer to the statement on the registration forms, to wit: "Municipality, house number and street address from which last registered," such person gives information as to previous registration in another county of this State, the commissioner of registration of the county in which such person newly registers shall forthwith notify the commissioner of registration of the county in which such person was last registered, by postal card signed by the registrant, of the new registration, upon receipt of which information the said commissioner shall transfer the registration forms of such person to the inactive file without any publication thereof being required.

2. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 415

AN ACT to amend "An act relating to the sale by municipalities of certificates of tax sale including subsequent municipal liens held by such municipalities," approved April eighth, one thousand nine hundred and forty-three (P. L. 1943, c. 149).

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

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

Section
amended.

3. Any and all purchasers of the tax sale certificates and subsequent municipal liens purchased, as hereinabove described, must foreclose at their own expense, the right of redemption, and record the final decree of the proceedings thereof in the county wherein the land is situate within two years from the date of the confirmation of the sale by the governing body.

C. 54:5-114.4.
Purchaser to
foreclose at
own expense
within two
years.

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

Section
amended.

4. The governing body on good cause shown shall have the power to extend the time and to grant further extension or extensions of time within which the final decree must be recorded as hereinabove described; *provided*, that an application for such extension, further extension or extensions of time shall be made to the governing body, before the expiration of the two-year period or the expiration date or dates of said further extension or extensions as hereinabove provided.

C. 54:5-114.5.
May extend
time.

Proviso.

If the final decree shall not have been recorded within two years from the date of the confirmation of the sale, or on the expiration of the extended time or times, then the sale shall be null and void, and the right, title and interest of the purchaser shall cease and revert to the municipality.

Sale null
and void.

As to previous
sales.

As to all sales of tax sale certificates heretofore made under this act, where the final decree has not been filed within two years from the date of the confirmation of the sale, or within the time limited by any extension or extensions theretofore granted, the governing body, on good cause shown, shall have the power to extend the time within which the final decree must be recorded; *provided*, that the first application for such extension shall be made to the governing body within six months after the adoption of this act.

Proviso.

3. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 416

AN ACT to provide for the adjustment of claims in favor of the State, and amending sections 2:61-1 and 2:61-2 of the Revised Statutes.

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

Section
amended.

1. Section 2:61-1 of the Revised Statutes is amended to read as follows:

Liens and
encumbrances
determinable.

2:61-1. Whenever the State of New Jersey has any lien or encumbrance upon any lands and a suit arising out of any previous lien or encumbrance on such lands is brought, or where such suit is instituted to foreclose the equity of redemption under the sale of such lands for unpaid taxes or other municipal liens, the lien or encumbrance of the State or its priority may be brought in question and definitely settled by any court having jurisdiction of the subject matter of the suit.

2. Section 2:61-2 of the Revised Statutes is ^{Section} amended to read as follows: ^{amended.}

2:61-2. In all suits wherein the lien, encumbrance, or priority of encumbrance of the State shall be brought in question, a notice may issue out of the court, directed to the State of New Jersey, stating the names of the parties and the encumbrance or lien of the State sought to be affected, and advising the State within what time it is required to plead, if it desires to defend, which time shall be the same as prescribed in the usual process of that court as to defendants other than the State. The notice shall state, in addition to the foregoing, (a) where the encumbrance or lien is for an inheritance tax, if known, the name of the decedent by reason of whose death the encumbrance or lien arises, the date of death of such decedent, the county and State wherein such decedent resided at the date of death, and the names and addresses of the decedent's personal representatives, or, if none have been appointed, the names and addresses of the decedent's heirs-at-law, or (b) where the encumbrance or lien is for corporation taxes, or interest, costs or penalties imposed upon, or by reason of, a corporation tax, the name of the corporation against which the same was assessed or imposed. The notice, which in all cases shall be accompanied by a copy of the bill of complaint, complaint or like pleading for the use of the State, may be served upon the Attorney-General as other process is served out of such court.

Notice,
contents.

Service on
attorney-
general.

3. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 417

AN ACT concerning the sale by municipalities of property owned by such municipalities, and amending section 40:60-26 of the Revised Statutes.

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

Section
amended.

1. Section 40:60-26 of the Revised Statutes is amended to read as follows:

Sale of lands
and buildings:

40:60-26. The governing body of any municipality may sell any lands or buildings or any right or interest therein not needed for public use. All such sales or disposition except as provided in sections 40:60-27 to 40:60-29 of this Title shall be authorized to be made by one of the following methods:

Public sale;

(a) By public sale to the highest bidder after public advertisement thereof in a newspaper circulating in a municipality in which the lands are situated by two insertions at least once a week during two consecutive weeks, the last publication to be not more than seven days prior to the sale. In the case of public sales the governing body of any municipality may by resolution fix a minimum price to be included in the advertisement of sale of lands and public notice thereof given at the time of sale, or may by resolution provide that upon the completion of the public sale, the highest bid made thereat shall be subject to acceptance or rejection by the governing body, but the acceptance or rejection thereof shall be made not later than at the second regular meeting of the governing body following the sale, and, that if the governing body shall fail or refuse to accept or reject any such highest bid, as aforesaid, the said bid shall be deemed to have been rejected. Such sales may be adjourned at the time advertised for not more than one week without readvertising.

(b) Such governing body may from time to time Private sale; by ordinance authorize the sale of any such properties at private sale for a period of time to be stated in said ordinance, which ordinance shall also fix the minimum sale price for each property so to be sold. A list of the properties so authorized to be sold, together with the minimum prices respectively, as determined by the governing body, shall be included in the ordinance and said list shall be posted in the city hall, or in such other municipal building in which the governing body usually holds its regular meetings. Additional copies of said list shall be made available for distribution. Offers for any or all properties so listed may be made to the governing body, at not less than the minimum prices as published by any prospective purchaser or any real estate broker or other persons legally authorized to consummate the transaction. The commission to be paid to any such broker or person consummating a sale, other than the purchaser, shall be not more than five per centum (5%) of the sale price, and may be paid out of the down payment on account of the purchase price.

Any and all private sales made in the manner specified shall not become effective until ratified by the governing body of the municipality at a regular meeting.

(c) In place of the above methods the governing body of any municipality may sell any such properties at private sale, as follows: Upon any offer being made by any person to the municipality to purchase any such property, the said offer shall be submitted to and considered by the governing body thereof at a regular or special meeting, and said governing body may then reject said offer, or may approve the same subject to final approval at a further public meeting of said governing body not less than ten days after said first meeting. Notice of the said further meeting of the governing body, containing said offer of purchase with a description of the land to be sold, the price thereof, and the terms and conditions of said sale, shall be Sale upon offer to buy;

published at least once in a newspaper circulating in said municipality, not less than two days nor more than ten days before said further meeting; and at said further meeting the said offer to purchase said property shall be considered by the governing body, which may then reject the same, or may confirm and ratify said sale under said terms and conditions, or a modification thereof; *provided*, that no higher price or better terms shall then be bid for said property by any other person, in which case the sale is to be made to the highest bidder; and said governing body may then authorize the proper officers thereof either to execute a formal agreement of sale with the purchaser which shall be binding upon said municipality and upon the purchaser, or may authorize the proper officers to make a deed of conveyance to said purchaser, as the case may require.

Public or
private sale.

(d) In place of the above methods the governing body of any municipality may sell any such properties at public or private sale upon such terms and conditions as shall be authorized by resolution of said governing body, with the approval in writing of the director of the Division of Local Government in the State Department of Taxation and Finance.

Terms and
conditions
of sales.

All sales, either public or private, may be for cash or upon credit. The governing body may by resolution fix the time for settlement and payment of the consideration and when the sales are upon credit the municipality may accept a purchase money mortgage to be given by the purchaser or purchasers, the terms and conditions of which mortgage shall be fixed by the resolution of the governing body of the municipality; *provided, however*, that any such mortgage shall be fully payable within five years from the date of the sale and shall bear interest at a rate not less than five per centum (5%) per annum. The governing body may also impose any restrictions on the use to be made of such land and any conditions of sale as to buildings or structures to be erected thereon, or

Proviso.

as to the type, size, or other specifications of such buildings or structures, or as to demolition, repair, or reconstruction of buildings or structures, and the time within which such conditions shall commence or be concluded, or any other conditions of sale in the manner and to the same extent as any other vendor of real estate, whether such sale shall be made at public or private sale; *provided, however,* ^{Proviso.} that any conditions for the payment of the consideration upon credit and the restrictions on the use to be made of the land and the conditions of sale shall be set forth at length in any advertisement of sale hereinabove required. In all sales made pursuant to paragraphs (a), (c) or (d) of this section, the governing body of any municipality may pay a commission to any real estate broker or other person other than the purchaser actually consummating such sale, but said commissions shall not be more than five per centum (5%) of the sale price.

2. This act shall take effect immediately.

Approved July 3, 1947.

CHAPTER 418

AN ACT to incorporate and erect the borough of "Audubon Park" in the county of Camden, the territory of which now comprises a part of the present borough of Audubon, county of Camden.

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

1. The following described property now contained in the borough of Audubon, county of Camden, is hereby declared to be a body politic and corporate by the name of borough of Audubon Park, and shall be governed by the general laws of this State relating to boroughs. ^{Audubon Park.}

Description.

2. That portion of the borough of Audubon hereby incorporated in the borough of Audubon is described as follows:

All that certain tract or parcel of land and premises now situate in the borough of Audubon, in the county of Camden and State of New Jersey, described as follows:

Beginning at the intersection of the Camden county center line of Nicholson road and the New Jersey State Highway Department center line of the Black Horse pike (State Highway Route No. 42) and extends thence (1) north $08^{\circ} 27' 30''$ west along the center line of the Black Horse pike two thousand four hundred and twenty (2420) feet more or less to the apparent center line of Peters creek if extended westwardly to the center line of said road; thence (2) southeastwardly up the center line of said Peters creek and the extended center line thereof the various courses and distances thereof to the northwesterly corner of lands now Frank R. Reimers formerly Cook; thence (3) by said Reimers south $37^{\circ} 12' 35''$ west the distance of fourteen hundred sixty-six (1466) feet more or less to the northerly line of land conveyed by Albert C. Middleton to the West Jersey and Seashore Railroad Company by deed dated Jan. 16, 1907, recorded in the Register of Deeds Office at Camden, N. J., in Book 313 of Deeds, page 480 &c., thence (4) by said land north $76^{\circ} 23' 40''$ west two hundred seventy-four and thirteen one-hundredths (274.13) feet to a corner to same, located fifteen (15) feet northwardly from the center line of Nicholson road when measured at a right angle thereto; thence (5) still by the land of said railroad company south $17^{\circ} 02' 20''$ west fifteen (15) feet to the Camden county center line of Nicholson road; thence (6) by said center line north $72^{\circ} 57' 40''$ west thirteen hundred twenty and seventy-five

one-hundredths (1320.75) feet to the place of beginning. Containing 100.6 acres of land be the same more or less.

3. Within the days after the adoption of this act by the voters of the municipality as hereinafter provided for, the Governor shall appoint from among the inhabitants of the said borough of Audubon Park, in the county of Camden, seven persons as the first governing body of said borough. The seven members so appointed shall, upon qualification, elect one of their number as mayor. The remaining six members shall constitute the council. Such mayor and council shall hold office until January first following the election of a mayor and members of council by the voters of said borough at the first regular general election held following the adoption of this act and until such elected officers shall have qualified as required by law.

Governing
body.

Mayor.

4. Following the appointment and qualification of the first governing body and the election and qualification of one of their number as mayor, the said mayor and councilmen shall have and perform all the powers, functions and duties vested in said officers by the laws of this State relating to boroughs and municipalities generally.

Powers
and duties.

5. At the first general election following the adoption of this act, there shall be elected by the voters of Audubon Park, a mayor for a term of two years and six councilmen. Following said election and qualification of the councilmen, their terms shall be arranged, by lot, if necessary, so that the terms of two members expire on January first next following the beginning of their terms, two the succeeding January first and two the next succeeding January first. Thereafter, annually at the general election, two councilmen shall be elected for terms of three years to fill expiring terms.

First election.

6. The first mayor, with the advice and consent of the council shall appoint all such other officers as may be required for the due administration of

Appointments
by mayor.

the affairs of said borough until the election, and qualification of councilmen, following the first general election to be held after the adoption of this act; such officers so appointed shall hold office until such election for councilmen and until their successors shall have been chosen and qualified as required by law.

Referendum to
effectuate act.

7. This act shall not take effect until it has been submitted to the voters of the borough of Audubon and if a majority of the legal voters at the election vote in favor of the adoption of this act, it shall take effect immediately.

The vote on the adoption of this act shall take place within six months after the effective date of this act. Said vote may be held on any primary or general election day or on a special election day. The board of commissioners of the borough of Audubon shall determine the day by resolution and shall have full power and authority to set up the necessary polling places in the usual election districts of said borough and pay the regular election officers for services performed in said general election.

Certification
of results.

8. The results of the election to be held under this act shall be certified to the Governor within five days after said election by the clerk of the borough of Audubon.

9. This act shall take effect immediately.

Approved July 3, 1947.

JOINT RESOLUTIONS

(1299)

Joint Resolutions

JOINT RESOLUTION No. 1

A JOINT RESOLUTION to refer the question of the proper amount of taxes to be levied upon, and collected from, owners and users of automotive equipment traveling upon or over the public highways of this State to the Commission on State Tax Policy for study and report.

WHEREAS, The question of determining a fair and equitable method of taxing the owners and users of automotive equipment for the operation of the same upon or over the public highways of this State and otherwise has been the subject of legislative consideration for several years past; and Preamble.

WHEREAS, It is recognized particularly that the formulas upon which are based the fees for registration of passenger automobiles and trucks are outmoded and that their application results in inequities and inequalities in many cases; and Preamble.

WHEREAS, The Legislature fully appreciates the complexity of the problems involved in this determination and acting in the interests of all of such owners and users, is desirous that the matter should be given the most careful attention; Preamble.

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

1. The matter of preparing and formulating more equitable formulas for levying taxes upon owners and users of automotive equipment traveling upon or over the public highways of this State To make survey and study of tax on automotive equipment.

Report. be referred to the Commission on State Tax Policy, created by chapter one hundred fifty-seven of the laws of one thousand nine hundred and forty-five, and the said commission is hereby authorized and directed to make a thorough and complete study of this problem, to review any or all legislation on the subject, as well as the methods and formulas employed for like purposes in other States, and to report the result of its findings, together with its recommendations, to this or to a succeeding Legislature.

2. This joint resolution shall take effect immediately.

Approved March 21, 1947.

JOINT RESOLUTION No. 2

JOINT RESOLUTION extending an invitation to the National Republican Committee to hold the National Republican Convention in 1948 in Atlantic City.

Preamble. WHEREAS, Atlantic City, the nation's largest seashore resort and one of New Jersey's finest assets, enjoys the distinction of having the world's largest convention hall, and

Preamble. WHEREAS, Atlantic City can provide fine convention facilities and particularly suitable hotel accommodations, all within easy distance of the convention hall, and

Preamble. WHEREAS, Atlantic City enjoys excellent climatic conditions, and

Preamble. WHEREAS, Atlantic City, because of these fine facilities and climate, is playing host to more large conventions than any other city in the country during the years of 1946 and 1947; now, therefore,

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

Resolved, That the National Republican Committee be invited to give every consideration to these fine qualifications, and

Invitation
to hold
convention in
Atlantic City.

Be It Further Resolved, That a cordial invitation be and it is hereby extended to the National Republican Committee that the National Republican Convention in 1948 be held in Atlantic City.

Approved March 27, 1947.

JOINT RESOLUTION No. 3

A JOINT RESOLUTION for the creation of a commission, to be known as the "Corporation Laws Commission," to study the laws relating to general corporations and to formulate and report to the Legislature and the Governor a proposed revision of such laws, and making an appropriation therefor.

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

1. There is hereby created a commission of seven members to be appointed as follows:

Corporation
laws commis-
sion created.

One member of the Senate to be appointed by the President thereof; one member of the Assembly to be appointed by the Speaker thereof and five citizen members at large to be appointed by the Governor.

Members.

All of the members of the commission shall serve without compensation but they shall be reimbursed for traveling expenses. The terms of the members shall expire on the second Tuesday of January following their appointment. A vacancy in the Senator membership of the commission shall be filled by the President of the Senate; a vacancy in the

Terms.

Vacancy.

Assemblyman membership of the commission shall be filled by the Speaker of the Assembly; and a vacancy in the citizen membership of the commission shall be filled by the Governor.

Name,
organization.

2. Such commission shall be known as the "Corporation Laws Commission" and shall organize as soon as may be after their appointment, upon the call of the Governor, and shall elect a chairman and vice-chairman from its members, and appoint a secretary, who may or may not be a member of said commission. The commission shall continue until it shall have reported to the Legislature and to the Governor as herein provided.

Duty.

3. The commission shall be charged with the duty of making a study of the laws of this State relating to general corporations.

Proposed
revision.

4. The commission shall suggest in what respects the said laws should be changed and shall formulate a proposed revision of such laws to meet present-day requirements.

Hearings.

5. The commission is authorized to hold public hearings at such times and places as it shall designate, and employ such assistants as it may deem necessary to the proper accomplishment of the purposes of this joint resolution; *provided*, that the compensation paid such assistants, together with its expenses, shall at all times be within the limits of its appropriation.

Provi o.

May sit during
legislative
recess.

6. The commission may sit during the recess of the Legislature or after any adjournment thereof.

Report.

7. The commission is directed to report the results of its study, together with a proposed revision of such laws, to the present or a succeeding session of the Legislature and to the Governor.

Appropriation.

8. For the purpose of carrying into effect this joint resolution, there is appropriated the sum of ten thousand dollars (\$10,000.00); *provided*, the same be included in the annual appropriation act for the fiscal year ending June thirtieth, one thousand nine hundred and forty-eight.

Proviso.

9. This joint resolution shall take effect immediately.

Approved March 31, 1947.

JOINT RESOLUTION No. 4

A JOINT RESOLUTION to provide for the designation of the section of U. S. Route No. 22 included in State Highway Routes No. 28 and No. 29 as the Blue Star Memorial Highway.

WHEREAS, The Garden Club of New Jersey wishes to co-operate with other State federations of garden clubs in the Blue Star Memorial Program sponsored by the National Council of State Garden Clubs to recognize and commemorate the splendid services and achievements of their sons and daughters who served in the Armed Forces of the United States in World War II; and

Preamble.

WHEREAS, The Blue Star Drive of New Jersey has been the inspiration and pattern for this nationwide movement; and

Preamble.

WHEREAS, The Blue Star Drive, the Hunterdon County Blue Star Memorial and the Bloomsbury Blue Star Memorial are located on United States Route No. 22; therefore,

Preamble.

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

1. That the section of U. S. Route No. 22 included in State Highway Routes No. 28 and No. 29 shall be designated as the Blue Star Memorial Highway as a memorial in commemoration of the services of the men and women who served in the Armed Forces of the United States in World War II.

Blue star
memorial
highway.

2. That the State Highway Commissioner shall file with the Secretary of State a description of the particular section of the U. S. Route No. 22 so designated as the Blue Star Memorial Highway and shall cause to be erected along said highway

Description
filed.Tablets
erected.

suitable tablets and ornamentations to perpetuate this resolution.

3. This joint resolution shall take effect immediately.

Approved April 9, 1947.

JOINT RESOLUTION No. 5

A JOINT RESOLUTION to direct the Commissioner of Education to advise the several boards of education of this State as to the need for their co-operation in the State's program for preventing juvenile delinquency and to make suggestions to said boards of education in respect to affording recreational facilities to juveniles.

Preamble. WHEREAS, By Joint Resolution No. 3, passed by the Senate and General Assembly and approved April twenty-fourth, one thousand nine hundred and forty-six, a Special Joint Committee was created for the purpose of investigating the causes of juvenile delinquency; and

Preamble. WHEREAS, The Special Joint Committee reported the results of its investigation to the Legislature with its recommendations; and

Preamble. WHEREAS, The following resolution is deemed to be in the interest of preventing juvenile delinquency; therefore

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

Use of school facilities to combat delinquency.

1. The Commissioner of Education is hereby directed to advise each board of education of this State as to the need for their co-operation in the State's program for preventing juvenile delin-

quency and to suggest to said board of education that, insofar as possible, they afford the use of such facilities as may be appropriate and under their jurisdiction for juvenile recreation, and to make such other and further suggestions to said board of education as the Commissioner of Education shall deem proper for the furtherance of said purpose.

2. This joint resolution shall take effect immediately.

Approved May 9, 1947.

JOINT RESOLUTION No. 6

A JOINT RESOLUTION creating a State School Aid Commission to investigate and study the question of additional State financial aid to the public schools of New Jersey, the costs thereof, a system of finance adequate to meet such costs, and referring existing Senate Bill No. 166 to said commission as a basis for such study and investigation.

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

1. There is hereby created a State School Aid Commission to investigate and study the question of additional State financial aid to the public schools of New Jersey, the costs thereof and a system of finance adequate to meet such costs. Creates State school aid commission.

2. The commission shall consist of eleven members, three of whom shall be members of the Senate to be appointed by the President of the Senate, three of whom shall be members of the General Assembly to be appointed by the Speaker thereof, also the Commissioner of Education; and four members chosen from the public to be appointed by the Governor. Members.

- Chairman. 3. The Governor shall designate one of the members to be chairman. The commission may sit during a recess of the Legislature or after any adjournment thereof.
- Assistance by other departments. 4. The commission is authorized to request of the Department of Law such legal services as may be necessary and to request of the Commission on State Tax Policy recommendations for a system of finance adequate to meet the costs of a State aid plan such as shall be proposed by said State School Aid Commission and shall be entitled to call to its assistance, and avail itself of, the services of such employees of any State department, board, bureau, commission or agency as it may require, to employ such research, stenographic and clerical assistants, and to incur such traveling and other miscellaneous expenses, as may be necessary in order to perform its duties and to be paid for as hereinafter provided.
- Hearing. 5. The commission may hold hearings in any part of the State and upon the completion of its said hearings shall embody its findings and recommendations in a report with proposed legislation thereon to the one hundred seventy-first Legislature, or, if not in session, to the Governor.
- Basis for investigation. 6. Senate Bill No. 166 of the session of one thousand nine hundred and forty-seven, introduced by Senator Pascoe, is hereby referred to said commission herein named as a basis for its investigation and study.
- Fund available for expenses. 7. The Commissioner of Education is authorized to expend a sum not exceeding five thousand dollars (\$5,000.00) or so much thereof as may be necessary to defray the expenses of the study herein authorized from any sums appropriated to the Department of Education and not required for other purposes.
8. This joint resolution shall take effect immediately.

Approved May 12, 1947.

JOINT RESOLUTION No. 7

A JOINT RESOLUTION continuing and reconstituting the commission constituted pursuant to Joint Resolution No. 4, approved April thirtieth, one thousand nine hundred and forty-six, to make a study of the financial structure and actuarial soundness of the Prison Officers' Pension Fund established pursuant to chapter two hundred twenty of the laws of one thousand nine hundred and forty-one.

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

1. The commission constituted pursuant to Joint Resolution No. 4, approved April thirtieth, one thousand nine hundred and forty-six, for the purpose of making a study of the financial structure and actuarial soundness of the Prison Officers' Pension Fund established pursuant to chapter two hundred twenty of the laws of one thousand nine hundred and forty-one (P. L. 1941, c. 220), hereby is continued and reconstituted. Commission continued.

2. The Commissioner of Taxation and Finance and the members of the Senate and General Assembly chosen as members of said commission, who are still members of the Senate and General Assembly, respectively, are hereby continued and reconstituted as members of said commission and the Speaker of the General Assembly hereby is authorized to fill the vacancy existing among the members of the commission selected from the General Assembly by choosing another member of the General Assembly to be a member of said commission. The commission shall elect a president and secretary from their own number. Members continued.
Vacancies to be filled.

3. The commission is authorized to hold hearings, call witnesses, and to draft necessary legal Hearings.

and clerical assistants from the offices of the Attorney-General of the State of New Jersey, the Law Revision and Bill Drafting Commission and other State departments as may be required.

Report.

4. The commission shall report the results of its studies to the present or next session of the Legislature, with its recommendations.

5. This joint resolution shall take effect immediately.

Approved May 28, 1947.

JOINT RESOLUTION No. 8

A JOINT RESOLUTION directing the Commission on State Tax Policy, created under chapter one hundred fifty-seven of the laws of one thousand nine hundred and forty-five, to include in its studies, the effect of statutory tax exemptions upon our basic tax structure.

Preamble.

WHEREAS, Assembly Joint Resolution No. 6 of the current session seeks to attain an over-all study of the effect of the increasing statutory exemptions from taxation upon our basic tax structure; and

Preamble.

WHEREAS, The work of the commission proposed therein for the purposes thereof would of necessity be a duplication of some of the work of the Commission on State Tax Policy, established under the provisions of chapter one hundred fifty-seven of the laws of one thousand nine hundred and forty-five; now, therefore,

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

1. That the Commission on State Tax Policy, created as aforesaid, be and the same is hereby directed to make an over-all study of the subject matter of Assembly Joint Resolution No. 6, of this session, and report its findings and recommendations to this or the next ensuing regular session of the Legislature.

To make a study of
A. J. R. No. 6.

2. This joint resolution shall take effect immediately.

Approved June 2, 1947.

JOINT RESOLUTION No. 9

A JOINT RESOLUTION for the creation of a commission to be known as the State Retirement Commission to study all pension and retirement requisites within the State, particularly as they apply to veterans, and to report to the present or a succeeding session of the Legislature and to the Governor.

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

1. There is hereby created a commission of seven members to be appointed as follows:

State
retirement
commission.

One member of the board of trustees of the teachers' pension and annuity fund; one member of the board of directors of the State Employees' Retirement System; one member of the Police and Firemen's Retirement System, two citizen members at large, all to be appointed by the Governor, one member of the Assembly to be appointed by the Speaker of the Assembly and one member of the Senate to be appointed by the President of the

Membership.

No salary.	Senate. All of the members of the commission shall serve without compensation but they shall be
Terms.	reimbursed for traveling expense. The terms of the members shall expire upon the completion of their report to the Legislature and the Governor.
Vacancies.	A vacancy in the Assembly membership of the commission shall be filled by the Speaker of the Assembly; a vacancy in the Senate membership of the commission shall be filled by the President of the Senate; and a vacancy in any other membership of the commission shall be filled by the Governor.
Name and organization.	2. Such commission shall be known as the "State Retirement Commission" and shall organize as soon as may be after their appointment, upon the call of the Governor, and shall elect a chairman and vice-chairman from its members, and may appoint a secretary who may or may not be a member of the commission. The commission shall continue until it shall have reported to the Legislature and the Governor as herein provided.
Duty.	3. The commission shall be charged with the duty of studying the laws of this State relating to pensions and retirements, particularly as they affect veterans.
To formulate revisions and supplements.	4. The commission shall suggest in what respects said laws should be changed and shall formulate such revisions or supplements thereto in the interest of veterans as seem necessary to meet present-day requirements.
Hearings.	5. The commission is authorized to hold public hearings at such times and places as it shall designate and employ such assistants as it may deem necessary for the proper accomplishment of the purposes of this joint resolution; <i>provided</i> , that the compensation paid such assistants, together with its expenses, shall at all times be within the limits of its appropriation.
Proviso.	
May sit during recess of Legislature.	6. The commission may sit during the recess of the Legislature or after any adjournment thereof.
Report.	7. The commission is directed to report the results of its study with such revisions of or supplements to the existing laws to the present or

a succeeding session of the Legislature and to the Governor.

8. For the purpose of carrying into effect this joint resolution there is appropriated the sum of twenty-five hundred dollars (\$2,500.00). Appropriation.

9. This resolution shall take effect immediately.

Approved June 20, 1947.

JOINT RESOLUTION No. 10

A JOINT RESOLUTION appointing a commission to investigate the methods, practices and procedures of the Legislature; to study the advisability and practicability of the establishment of a permanent agency to consider and report to the Legislature upon legislative problems and proposals arising or made during the sessions or recesses of the Legislature; and to consider such proposals for legislative action as may be made during the recess of the present Legislature; and to report thereon to the Legislature.

WHEREAS, The methods, practices and procedures employed by the Legislature have continued in almost unchanged form for many years and it is the desire of the Legislature that they should be studied in order that constructive recommendations toward their modernization and improvement may be formulated and reported to the Legislature; and Preamble.

WHEREAS, The whole work of the Legislature, unlike that of other branches of the State Government, must be performed during the few months of the year when it is in session and no means is now available for investigation of legislative problems in advance of any session of the Legislature except through the instrumentality of ad interim special committees or commissions; and Preamble.

Preamble.

WHEREAS, Such ad interim committees or commissions are usually appointed to investigate and report upon those specific problems or proposals, only, which have been anticipated or made during the previous session of the Legislature; therefore,

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

Commission created.

1. There is hereby created a commission to consist of six members, three to be appointed from the membership of the Senate by the President thereof and three to be appointed from the membership of the House of Assembly by the Speaker thereof, who shall serve without compensation.

Organize.

2. The commission shall organize as soon as may be after the appointment of its members and shall elect a chairman from among its members and the executive director of the Law Revision and Bill Drafting Commission shall act as secretary of the commission.

Duties.

3. It shall be the duty of said commission to

(a) Study the methods, practices and procedures employed by the Legislature, including the rules of both Houses, and make such recommendations as to the modernization and improvement thereof as the commission shall deem advisable;

(b) Investigate the advisability and practicability of the establishment of an agency of the Legislature to be composed of members, from time to time, of both Houses of the Legislature, to meet periodically during the recesses of the Legislature and, if necessary, during its session, for the purpose of studying any legislative proposals submitted to it by the Governor, which agency shall be implemented by the establishment of an efficient and competent legislative reference service to collect and compile information, and to make factual studies and reports, as to legislative matters.

Assistants.

4. The commission shall be entitled to call to its assistance, and avail itself of, the services of such

employees of any State department, board, bureau, commission or agency as it may require, to employ such stenographic and clerical assistants, and to incur such traveling and other miscellaneous expenses, as may be necessary in order to perform its duties.

5. The commission shall meet and consider such proposals in connection with its studies as it deems advisable and shall confer with the Governor thereon, during the recesses of the present Legislature, and shall report its findings to the next Legislature and recommend such legislation as it deems necessary or advisable. Report.

6. This joint resolution shall take effect immediately.

Approved June 20, 1947.

PROCLAMATIONS

(1317)

Proclamations by the Governor

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The Congress of the United States has passed a bill and the President of the United States has given it his approval, thereby enacting it into law, which law, among other things, assumes jurisdiction over and controls and regulates rents and the possession of housing space within the State of New Jersey and provides for the enforcement of said law by means of Federal agencies, and

WHEREAS, The Legislature of the State of New Jersey did on the 22d day of July, 1946, with the approval of the Governor, enact a law entitled "An act to regulate, control and stabilize rents and possession of housing space and declaring an emergency with respect thereto and providing an appropriation therefor," which act has now become chapter 319 of the laws of 1946 and is known as the "Rent Control Act," and

WHEREAS, The continuance in force and effect of the said Rent Control Act (chapter 319 of the laws of 1946) would in many respects be in conflict with the act of Congress above referred to and the operation of which would be a duplication of the efforts of Federal agencies and would mean the cost of considerable sums of money to the State of New Jersey without any additional benefit to its citizens,

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, by virtue of the power and

(1319)

authority vested in me by paragraph 18 of chapter 319 of the laws of 1946 do hereby suspend the operation of all of the provisions of said chapter 319, laws of 1946 until such time as the same may be restored by proclamation of the Governor in accordance with the provisions above referred to.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this thirtieth day of July, in the year of Our Lord one thousand nine hundred and forty-six, and in the Independence of the United States, the one hundred and seventy-first.

WALTER E. EDGE,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Upon the first anniversary of the cessation of hostilities in World War II it is most appropriate that we give thanks to Almighty God for sparing this nation the destruction and misery suffered by so many other nations and populations—both our allies and our enemies.

At the same time we honor and revere the millions of young men and women who served in the armed forces with such distinction, so many of whom gave their lives that this nation might live. As we mourn our dead heroes and acclaim the living let us fervently hope that this nation and the rest of the world will not again be scourged by a war that may well wipe out civilization itself.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby proclaim

WEDNESDAY, AUGUST 14,

as

V-J DAY,

and I urge our people to pause briefly in prayer to the end that we may have a secure and lasting peace.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this thirteenth day of August, in the year of Our Lord one thousand nine hundred and forty-six, and in the Independence of the United States, the one hundred and seventy-first.

WALTER E. EDGE,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

As a matter of broad social policy the physically handicapped in New Jersey are entitled to every opportunity to gainful employment in which they can achieve a productive place in society. Most of the physically handicapped, both war veterans and those who have suffered injuries through industrial accidents or otherwise, are eager and de-

sirous of earning their own living and contributing to the wealth and welfare of their State. In fact, many of them would take on burdens beyond their physical capacity in their fierce determination to hold up their end.

The State Government has a well co-ordinated program to find employment for disabled veterans through the Division of Veterans' Services and both the Labor Department and Rehabilitation Division are working closely with the United States Employment Service in seeking to aid non-veterans in the same manner.

The national program approved by the Congress designating the first week of October as "National Employ the Physically Handicapped Week" constitutes a most appropriate manner of calling attention to this great responsibility,

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby proclaim

OCTOBER 6TH TO 12TH, INCLUSIVE,

as

NATIONAL EMPLOY THE PHYSICALLY
HANDICAPPED WEEK,

and call upon all employers, organized labor, our various civic agencies, and our counties and municipalities to co-operate with the United States Employment Service, Division of Veterans' Services and the Labor Department to the end that every possible opportunity be afforded the physically handicapped to enable them to hold or regain a productive place in our peacetime economy, and I urge that all such employment opportunities be referred to any of the forty-four United States Employment Service offices in New Jersey, so that jobs and physically handicapped workers can be brought together.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this seventeenth day of September, in the year of Our Lord one thousand nine hundred and forty-six, and in the Independence of the United States, the one hundred and seventy-first.

WALTER E. EDGE,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, In my opinion, public necessity requires the convening of the Legislature of the State of New Jersey in Special Session,

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, by virtue of the power and authority vested in me by the Constitution of this State, do hereby convene the Legislature of the State of New Jersey to meet in Special Session at the State House, Trenton, New Jersey, on Monday, the thirtieth day of September, nineteen hundred and forty-six, at twelve o'clock, noon, eastern standard time, for the sole purpose of considering the responsibility of providing homes for veterans, an obligation recently abandoned by the Federal Government.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this nineteenth day of September, in the year

of Our Lord one thousand nine hundred and forty-six, and in the Independence of the United States, the one hundred and seventy-first.

WALTER E. EDGE,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

We meet today to celebrate the solemn yet happy occasion of the 200th anniversary of the founding of one of the greatest educational institutions in the world—originally the College of New Jersey but now famed as Princeton University.

To observe all historical amenities I must record that the actual charter granted for the College of New Jersey was approved by His Majesty King George II of Great Britain and issued by my predecessor, Acting Governor John Hamilton on October 22, 1746. More important than the actual date was the premise on which this college was founded by a group of liberal men who opened its doors to students “of every religious denomination.”

The intention of its founders, in protesting against the narrow conservatism of the times, was two-fold. First, these trustees stated their purpose was “to cultivate the Minds of the Pupils in all these Branches of Erudition which are generally taught in the Universities abroad” and secondly, “To rectify the Heart by inculcating the Precepts of Christianity in order to make them good Men.” It is appropriate to observe that our

problems today, as they were 200 years ago, are fundamentally spiritual in nature.

While the origin of Princeton, to a certain degree at least, was to educate students for the ministry, the institution from its modest beginning in Elizabeth and later at Newark adhered undeviatingly to its principles for development of the human mind and to make men better citizens and better able to live with their fellow men. Later, in 1756, the college was moved to Princeton with historic Nassau Hall as the first college building. There its traditions were firmly rooted. Two centuries have passed and these roots have not wilted but instead the original precepts and traditions of the College of New Jersey have flourished to the end that the very name of Princeton University is a synonym for liberalism, tolerance and educational development.

It was in 1896 at the sesquicentennial celebration, which I remember as a young man, that the name of the College of New Jersey was changed to Princeton University. Woodrow Wilson, later to become President of the University and President of the United States, dedicated the institution to "the nation's service." This simple phrase still stands today for the very soul, if I may say so, of this great institution of learning.

As Princeton University begins its third century "to the end of applying, in consultation with scholars throughout the world, our common skills, knowledge, and wisdom to the reconsideration of the fundamental obligations of higher learning to human society, hoping thus to contribute to the advancement of the comity of all nations and to the building of a free and peaceful world."

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby make public proclamation of this great event in New Jersey history, and

I HEREBY enjoin and urge all agencies and departments of the State Government and our mu-

municipal and county governments, our educational institutions, churches and civic organizations to take just pride in the accomplishment of Princeton's distinguished past and its part in the development of this great State and nation, and

FURTHER, I suggest that all citizens show their interest and co-operation in this bicentennial program and the significance of this great academic convocation of the post-war era as representing the real road to a just and lasting peace.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
nineteenth day of October, in the year of
Our Lord one thousand nine hundred
and forty-six, and in the Independence
of the United States, the one hundred
and seventy-first.

WALTER E. EDGE,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Although the world is officially at peace, the celebration Sunday, October 27, 1946, of Navy Day, takes on added significance in a period of international unrest and maneuvering which has been reflected in the current uneasiness at home.

It is fitting at this time that we pay tribute and homage to the United States Navy which was responsible to such a large extent for keeping the

fighting of the last war away from our shores so that today our cities and communities are intact. Without this great battle fleet and its air arm, this nation could not have escaped for the second time in a generation the destruction and misery visited upon the cities across the sea, both of our allies and our enemies.

The gallant officers and brave men who manned these ships and the heroes who died in battle are entitled to the fullest measure of public acclaim. At no time in the history of our nation did the Navy acquit itself with more distinction or reach a greater point of effectiveness.

Particularly, we are proud of the USS NEW JERSEY and the officers and men who sailed and fought this ship through the Pacific. On behalf of the citizens of this great State let me assure the officers and men of this battleship, which is our namesake, that their deeds will never be forgotten and that a warm welcome awaits them on their return.

As many of these fighting ships are decommissioned let us fervently hope they will not be recalled to battle again. But on the same basis we must realize, just as did Theodore Roosevelt, a founder of our great modern Navy, whose birthday we also celebrate tomorrow, that we cannot weaken ourselves to the point of vulnerability. This country was in grave peril until all the resources of the nation combined produced the world's greatest Navy. We cannot afford to be found again in the same defenseless position.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby proclaim

SUNDAY, OCTOBER 27TH

as

NAVY DAY

to welcome and pay tribute to the officers, men and ships of our Navy; and I hereby urge that the Flag

be displayed on all public buildings and homes; and I further urge that appropriate exercises be conducted throughout the State.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
twenty-third day of October, in the year
of Our Lord one thousand nine hundred
and forty-six, and in the Independence
of the United States, the one hundred
and seventy-first.

WALTER E. EDGE,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The production of bituminous coal in the nation has ceased and except for the coal stock now held by consumers in retail yards and on commercial docks, there is only available at the mines for distribution less than two days' production of bituminous coal. This situation threatens the safety, health and welfare of the people of the State of New Jersey.

The Federal Government, through the Civilian Production Administration and the Solid Fuels Administration for War, has requested the co-operation of the State, its municipalities and its people in conserving the existing coal supplies.

In accordance with the request of the Federal Government, John E. Boswell, President of the Board of Public Utility Commissioners of the State

of New Jersey, is hereby appointed State Fuel Conservator to act on behalf of the State and to exercise all the powers vested in the Chief Executive of the State to alleviate the conditions caused by the situation so created and to co-ordinate in that connection the activities of all State and local offices and governing bodies in the State, and authority is hereby conferred upon him to designate and appoint any assistants that he may deem necessary to the fulfillment of his duties and to prescribe the authority of such assistants.

AND THEREFORE, NOW, I, HAYDN PROCTOR, Acting Governor of the State of New Jersey, by virtue of all authority vested in me do hereby:

Proclaim that a state of emergency exists in the State of New Jersey caused by the ceasing of production of bituminous coal in the nation and that the exhausting of the bituminous coal supply in the State threatens serious consequences to the safety, health and welfare of the people of the State, and I hereby direct:

1. All State and local officials to take appropriate action to procure the suspension of all unnecessary use of electricity, gas and coal.

2. To exercise their powers to the full to bring about compliance within the State of the orders of the Federal Civilian Production Administration designated U-13 and U-14, dated November 22, 1946 and fully co-operate with John E. Boswell, the State Fuel Conservator, and fully comply with any direction issued by him and any request he may make, and

I hereby request all public utilities, fuel dealers and all others having fuel supplies to co-operate with and assist the State Fuel Conservator, his assistants and appropriate State and local officials in conserving available essential coal supplies, and

I hereby call upon the public of the State of New Jersey to comply in all respects with the orders of the Civilian Production Administrator and State

Fuel Conservator to effect immediate economies in the use of electricity, gas and coal.

This proclamation and the direction and request contained therein shall be effective immediately.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
twenty-fifth day of November, in the
year of Our Lord one thousand nine
hundred and forty-six, and in the In-
dependence of the United States, the
one hundred and seventy-first.

HAYDN PROCTOR,
Acting Governor.

By the Acting Governor:

LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

New Jersey and the nation have much for which to be grateful as we celebrate Thanksgiving Day. As we give thanks for the blessings, accomplishments and progress during 1946, we must recognize we are living in grave times. Momentous days and important decisions lie ahead that will require all of our perseverance, energy and our faith in Almighty God if this nation is to go on as a symbol of freedom and liberty.

With the war behind us it is incumbent that we subordinate our petty jealousies and differences for the common welfare. We should celebrate Thanksgiving Day in a reverent manner, thanking the Almighty for the blessings we have had and expressing the fervent hope that under the aegis of the

United Nations that our people will be protected from another war that may well destroy everything man has built since the dawn of civilization.

THEREFORE, I, HAYDN PROCTOR, Acting Governor of the State of New Jersey, do hereby proclaim

THURSDAY NOVEMBER 28TH,

as

THANKSGIVING DAY,

and I urge the people of this State to observe this day by attendance at church services, the reading of appropriate passages from the Bible, and other devotional exercises.

[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-six, and in the Independence of the United States, the one hundred and seventy-first.

HAYDN PROCTOR,
Acting Governor.

By the Acting Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, In my opinion, public necessity requires the convening of the Senate of the State of New Jersey in Special Session;

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, by virtue of the power and authority vested in me by the Constitution of this State, do hereby convene the Senate of the State of New Jersey to meet in Special Session at the State House, Trenton, New Jersey, on Monday, the thirtieth day of December, one thousand nine hundred and forty-six, at twelve noon of said day for the purpose of receiving nominations.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
twenty-fourth day of December, in the
year of Our Lord one thousand nine
hundred and forty-six, and in the In-
dependence of the United States, the
one hundred and seventy-first.

WALTER E. EDGE,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The peoples throughout the world will in this year of 1947 mark the one hundredth anniversary of the birth of Thomas Alva Edison, whose most productive years were spent here in New Jersey at Menlo Park.

Rising as he did from humble origin to become one of the outstanding benefactors of mankind, Thomas Alva Edison stands as a symbol of freedom of opportunity to men and women in all walks of life. His scientific discoveries and inventions have helped to raise the standard of living in all nations, have brought the peoples of the world into

closer communication with one another, have multiplied their productivity and blessed their daily lives with innumerable benefits and conveniences.

In this year of struggle to establish the unity of the peoples of all nations, it is particularly fitting that we dedicate a day to the centennial of a man whose long and productive life continues to benefit humanity everywhere.

THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby urge all citizens of this State to commemorate on

FEBRUARY 11, 1947,

by appropriate observance, the one hundredth anniversary of the birth of Thomas Alva Edison.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this tenth day of February, in the year of Our Lord one thousand nine hundred and forty-seven, and in the Independence of the United States, the one hundred and seventy-first.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

It is fitting that the people of New Jersey take cognizance that the year 1947 marks the Golden Jubilee of the National Congress of Parents and Teachers. This institution, and its constituent

local parent-teacher associations, have long been dedicated to the cause of a constantly better, stronger and more vital free public education in this State.

By offering a forum by and through which parents and public school teachers may exchange ideas and learn to appreciate each other's viewpoint, the parent-teacher organizations have brought the wholesome effects of parental influence directly to the daily life of our schools. It is only through a continuing common interest of parents and teachers, through a constantly expanding participation by a greater number of parents in the work of these associations, with the encouragement and support of the State government, that we may keep free public education the vital force that it must be in a successful democracy.

The improvement of the quality of education in our public schools has for many years been the keystone of parent-teacher organizations. The need for prudent management at every level of educational effort has likewise been an uppermost consideration of their efforts. To this end they can and do contribute greatly by setting high standards of educational achievement, by seeing that our schools are adequately financed and that our teachers are secure in their important responsibilities. These significant functions, and the distinguished position that parent-teacher organizations have made for themselves in the field of free public education merit the recognition of an appreciative State.

THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

FEBRUARY 17, 1947,

as

PARENT-TEACHER DAY

on which I urge all citizens to join in the celebration of the fiftieth anniversary of the parent-teacher movement.

[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-seven, and in the Independence of the United States, the one hundred and seventy-first.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The war-related activities of the American Red Cross will, during the coming year, continue to be vitally necessary to aid in the extensive and difficult human problems of these post-war times. Many men will still be in uniform, and will require welfare and recreational services. Large numbers of veterans and their families will require help in connection with claims, counseling, referrals, and financial assistance. Army, Navy and Veterans' hospitals will continue to have many patients for a long time to come. The Red Cross organization, with its workers, over 99% of whom are volunteers, is trained and ready to perform whatever services are needed.

In a great number of New Jersey communities, Red Cross health and educational services are benefiting many people through programs in First Aid, Water Safety, Accident Prevention, Home Nursing and Nutrition. These contribute toward the welfare of the individual, the safety of the

home, and the improvement of family life. Moreover, in time of public calamity, fire, flood, hurricane, or other disaster, the Red Cross assumes the obligation to be on the scene with speedy emergency help, and prepared to minister to human needs.

The Red Cross organization is completely dependent upon voluntary contributions in providing its great humanitarian services. These services, which would otherwise be a burden upon government, require for their continuance the co-operative support of all who are interested in the welfare of their fellowmen.

THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, hereby proclaim

THE MONTH OF MARCH, 1947,

as Red Cross Month, and urge every resident of New Jersey to support to the best of his ability the Red Cross appeal for funds for the year 1947.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
twenty-fourth day of February, in the
year of Our Lord one thousand nine
hundred and forty-seven, and in the
Independence of the United States, the
one hundred and seventy-first.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The Director, Division of Taxation, Department of Taxation and Finance on the fourth day of March, one thousand nine hundred and forty-seven, under the provisions of chapter eleven, Title 54, Revised Statutes, reported to the Governor a list of all corporations coming under this act; and

WHEREAS, The following-named corporations so reported have, for the two years preceding such report, failed, neglected or refused to pay the State taxes assessed against them for the year one thousand nine hundred and forty-four, 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, ALFRED E. DRISCOLL, 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:

Corporations whose charters are to be repealed and declared null and void for unpaid taxes of 1944 under chapter eleven, Title 54, Revised Statutes.

UNPAID TAXES FOR THE YEAR 1944

Abel Realty Company,
Abe Zlotkin Iron & Metal Company,
A—B Machine Tool Co., Inc.,
Abramescos Pharmacy,
Abramson's Hillside Dairy, Inc.,
Accurate Watch & Jewlery Co.,
Ace Holding Co.,
Ace Music Company,
Ackeroyd Inc.,
The Acme Machine Tool Company, Inc.,
Acme Refrigeration Repair Service Co.,
Action Photos, Inc.,
Adamant Steel Co. of U. S. A. Inc.,
Adam Coal Corp. of Elizabeth, NJ.,
Adams Auto Wreckers, Inc.,
Adams Engineering Corp.,
The Ada Shop, Inc.,
Adelman Dining Car Co., Inc.,
A. Dite & Sons, Inc.,
Adolph Smarsch Inc.,
A. D. S. Corp.,
Advance Tire Company, Inc.,
A. E. F. Trucking Corporation,
Aeronautical Manufacturing Company, Inc.,
Aetna Fireproofing Company of New Jersey, Inc.,
Aetna Leather Novelty Co.,
A. F. Restaurant Corp.,
A. & G. Coat Co., Inc.,
Aircraft Equipment, Inc.,
Aircraft Instrument Schools, Inc.,
Aircraft Service, Inc.,
A. & I. Realty Co. Inc.,
Air Induction Ice Bunker Corp.,
Alamac Holding Corporation,
"Alan Manufacturing Company",
Al Ba Co.,
Alban-Frank Agency,
Albert Hairdresser Inc.,
Alco, Inc.,
Aldwhit Corporation,

Aldwhit Housing Corporation,
Alexander Patterson, Inc.,
Algo Corporation,
Al-Green Medicine Co. of New Jersey,
Allen Schiffman Agency,
Allgair's Inc.,
Allied Agencies,
Allied Machine Co., Inc.,
Allied Tire, Inc.,
All-Jersey Motor Lines, Inc.,
Alloys and Chemicals, Inc.,
Allwood Manor,
Almage Corporation,
Alpine Hillside Company,
Alvord and Smith Realty Company,
Alwil Corporation,
Ambassador Lingerie Shop, Inc.,
Amboy Cafe Inc.,
Amboy Construction Co.,
Amend Scenic Studios,
American Aircraft Manufacturing Corp.,
"American Childrens Wear, Inc.,"
American Flax Corporation,
American Foreign Credit Corporation,
"American Jewish Life",
American Shirt Shops,
American Woodstain Company,
Amity Foundry & Machine Co.,
Ampere Mining & Milling Corporation,
Amsterdam Bros.,
Amusement Enterprises, Inc.,
Anchor Heat Engineering, Inc.,
Anchor Metal Products Co.,
Anderson Service Station,
Andrones and Petros, Inc.,
Andy's Garage, Inc.,
Anka Corporation,
Anna Holding Corporation,
Anna Louise Candies, Inc.,
Anna Maude Beauty Shoppe, Inc.,
Anthony Realty Co., Inc.,
Antward Realty Co., Inc.,
A & P Engineering & Manufacturing Co.,

Appetito Products Co. A Corporation,
Arc Holding Company,
Archway, Inc.,
Arde Corporation,
Arena Realty Corporation,
Aristocrat Beauticians,
Arjan Realty Corp.,
Arlene Realty Co., Inc.,
Arline Oil Co. Inc.,
Armand's Garage,
Arnold Amusement Corp.,
A. Rosemarin, Inc.,
Art Center Realty Co.,
Aryan Holding Corporation,
Asco Salvage Company, Inc.,
"Ashland Mfg. Co.",
Ashworth Motor Sales Company, Inc.,
A. & S. Liquor Company,
Astor Liquor Mart,
Atlantic Building Material Co. Inc,
Atlantic City School of Beauty Culture and Atlantic
Marinello Shop Inc.,
Atlantic Embroidery Company,
Atlantic Investment Co.,
Atlantic Seaboard Pine Corp.,
Atlantic Tourist Camp, Inc.,
Atlantic Van Lines, Inc.,
Atlas Riggers & Truckers Co.,
Auf Der Heide, Inc.,
Auten Construction Co., Inc.,
Aviation Machinists, Inc.,
Aviation Products Corporation,
Avon Diner, Inc.,
A. Von Rhein Beauty Parlor, Inc.,

Babsem Company,
Bahal Associates, Inc.,
Balash Realty Company,
Baldwin Park, Inc.,
Banker Chemical Products Corp.,
Barnan Mfg. Corp.,
Barry-Stevens Paper Corporation,
Barshay Mirror Products Corp.,

Bartley Shoes, Inc.,
Barto Company, Inc.,
Bartolini Canteen, Inc.,
Basch And Russo Holding Company, Inc.,
Bauer's Inc.,
Beach Avenue Realty Company,
Beach Estate,
Beacon Laboratories, Inc.,
Beacon Tool, Inc.,
"Bea Lawrence, Inc.",
Beardsley Realty Corporation,
Belaine Realty Company,
Belgrove Holding Corporation,
Belle Realty Company Inc.,
Belmont Holding Company,
Belsam Realty Company,
Belt Grip Products,
Benbe Realty Co.,
Bendal Realty Company,
Benjamin Franklin Graphite Co.,
Berdair Co., Inc.,
B & E Realty Co.,
Bergen Contractors, Inc.,
Bergen County Stock Farm, Inc.,
Bergen-Passaic Blue Print Service Inc.,
Bergen Stores, Inc.,
Bergen Tire Service, Inc.,
Bergkamp Real Estate Company,
Bergreen Realty Company, Inc.,
Berkshire Trucking Co., Inc.,
Berman Construction Company,
Bernard C. Gallant, Inc.,
Beth Israel Cemetery Sales Agency Inc.,
Besco, Inc., No. 1,
Beverage Business, Inc.,
Beverly Homes,
B. F. & L. Corporation,
B. & H. Inc.,
The Bi-City Realty Co.,
The Big Dipper, Inc.,
Bigeleisen, Inc.,
Big Six Corporation,
Bill Dailey's Bar,

Bill Pirollo's Restaurant & Cafe, Inc.,
Birks' Investment Plan, Inc.,
Eiyuck Realty Corporation,
Blake Manufacturing & Sales Company,
Blodgett's Incorporated,
Bloodgood Company, Inc.,
Bloodgood-Hopecke Co.,
Bloy Realty Co. Inc.,
Blue Bell Farms, Inc.,
"Blue Bell Realty Co.",
Blue Bird Ballroom Inc.,
Blue Ribbon Foods, Inc.,
B. Maltzman, Inc.,
B & M Land Corporation,
Boardwalk Athletic Club, Inc.,
Boat Sales Company,
Bock Provision Co., Inc.,
Bogert Willows Water Company,
Borg-Peigelback, Inc.,
Borschneck and Nott, Incorporated,
Bouchard & Charvet Mill B Inc.,
Boulevard East Realty Corp.,
Boyd Realty Company, Inc.,
Bradley Agency, Inc.,
Breen Construction Co., Inc.,
Bridgeboro Foundry Company,
Bridge Gardens Corporation,
Bridge-Land Construction Company,
Brilliant Realty Company, Inc.,
Broad and Branford Florists, Inc.,
"Broadway Creameries, Inc.",
Broadway Service Station, Inc.,
Brookdale Holding Company,
Brook Lane Realty Company,
Brooklawn Builders, Inc.,
B. & R. Realty Inc.,
"Brumberg's Express and Trucking Co. Inc.",
Brunswick Novelty Mfg. Co., Inc.,
"Brunswick Realty Co., Inc.",
B. S. & M. Realty Corp.,
The Buckley Co.,
Buena Vista Gold Mining Company of Mexico,
Burakofs Inc.,
Busbee Engineering Co.,

Cafe Dubonnet,
Caldwell Bowling Academy, Inc.,
Caldwell Fuel Company,
Calmar Realty Company,
"Camden Concrete Block Corporation",
Camden County Housing Corporation,
Camden Mattress Manufacturing Co.,
Camden Professional Basketball Club,
Camel Club Inc.,
Cameron-Conklin, Inc.,
Campmar's Inc.,
Candlelight Shop, Inc.",
Canova's,
Cantlin's Wine & Liquor Stores, Inc,
Cape Breton Holding Co. Inc.,
Capitol Dental Laboratories Inc.,
Carfora Construction Co. Inc.,
Carlock's Florist, Inc.,
Carlson Steel Contracting Co., Inc.,
Carol Mae Corporation,
Carpenter-MacKay Co.,
Carter Novelty Company,
Carty's Market,
Caruso Realty Company,
Carved Novelty Co.,
Carver Realty Company,
Caspro Coal Co., Inc.,
Cast Refractories Inc.,
The Cathcart Construction Company,
Cavalcade of Thrills, Inc.,
Caven Point Tavern, Inc.,
C. B. & B. Theatre Corporation,
C. C. Harrison Co., Inc.,
Celeste Fur Dressing & Dyeing Corp.,
Center Paper Box Company,
Central Avenue Corporation,
Central Electronics Co.,
Central New Jersey Power Company,
Central Pattern and Model Works,
Central Pontiac Corporation,
"Central Realty and Investment Co,
Centre Decorating Company Inc.,
Centrifugal Casting Corporation,

Century Concrete Company,
Certified Realty Corporation,
Cestone & Festiggi Contracting Co.,
Chain & Anchors, Inc.,
Chamberlin Aircraft Engineering Co., Inc,
Chamberlin Trade School Inc.,
Chancellor Construction Company,
Chancellor Realty Company, Inc.,
Chardin Theatres, Inc.,
Charelle, Inc.,
Charles Belfer, Inc.,
Chas. C. Clifford Corporation,
Charles H. Clouting Company,
Charles H. Haring, Inc.,
Charles Muzik, Inc.,
Charles Poulin & Sons Co., Inc.,
Chas. W. Anderson, Inc.,
Charter Realty Corporation,
Chart-O-Graph, Inc.,
Chase, Inc.,
Chatham Holding Co., Inc.,
Chatham Housing Corporation,
Chesler Publications, Inc.,
Chester Dyeing and Finishing Inc.,
Chester Wines & Liquors,
Chez Miami, Inc.,
Chic's, Inc.,
Chic Togs, Inc.,
Chilson Universal Tractor Company,
C & H Motor Express, Inc.,
Chrisalty Laboratories,
The Chrisalty Laboratories, Inc.,
Chronicle Press Inc.,
Chrysler Glass Co., Inc.,
Circle Valve & Equipment Co., Inc.,
City Point Service Station, Inc.,
City Service Cab Company of Atlantic City,
Civic Finance Corporation of N. J.,
"C. J. Mooney Contracting Co., Inc.,"
Claremar Holding Corp.,
Clark Sewing Machine Co. Inc.,
Clark-Turner, Inc.,
"Clean-Rite Washers Inc.",

Clearsound Company,
Cliffside Amusement Company,
Cliffside Park Realty Corporation,
Cliffview Estates, Inc.,
The Cliffwood,
“Clifton Plaza Grill”,
Clinton Food Market, Inc.,
Clinton Point, Inc.,
Clover Realty Co., Inc.,
Coast Investment Company,
Coated Paper Industries Inc.,
“Cola Company of America, Inc.,
Coley Realty Company,
Collidge Bakery, Inc.,
Collingswood Acres, Inc.,
Colonial Engineering Company Incorporated,
Colonial Pines, Inc.,
Colonial Restaurants of Red Bank, N. J., Inc.,
Colts Neck Fruit Farm,
Columbia-Art Store Fixture Co.,
Columbia Management Co.,
Columbia Marble Works, Inc.,
Columbus Wholesale and Retail Grocers, Inc.,
Comford Holding Company,
Commercial Agency Inc.,
Commercial-Industrial Realty Corporation,
Commercial Stationers Inc.,
Commodity Sales Corporation,
Community Pharmacy, Inc.,
Compound Oil Corporation,
Conkling Brothers, Inc.,
Conn-Dill Corporation,
Connor Stations, Inc.,
Consolidated Machine & Design Co., Inc.,
“Consolidated Ordnance Corporation”,
Consumers Co-operative of Bradley Gardens,
Consumers’ Film Products Corporation,
“Container Reconditioning Corporation”,
Continental Manufacturing Co.,
Contractors & Industrial Supply Co.,
“Cook & Wright Pneumatic Transmission, Inc.”,
Coon’s Trucking Service,
Cooper Coffee Co., Inc.,

Cooper & Hall Company,
Cop The Cream Bottle Company, Inc. of New
Jersey,
Corona Realty Company,
Corporation Service Bureau, Inc.,
Cottage Realty Co., Inc.,
County Auto Body Works, Inc.,
County Auto Sales,
The Crescent Co.,
Crescent Hat Co., Inc.,
Creston Holding Co.,
Crompton and Company,
Cronin Realty Co.,
Crosstown Service, Inc.,
Crown Coal Co., Inc.,
Crown Vending Co. Inc.,
Crown Wine and Liquor Stores,
Cummings Corporation,
Curtis Inc.,
Custer Realty Company,
Cutler Realty Co., No. 1,
C. W. Ward Co., Inc.,
Cypress Realty Co.,

Dale Poultry Farms, Inc.,
Dalton Corporation,
Danny Herman, Inc.,
Darb's Ltd.,
David S. Koggan Co.,
Day Cleaners Inc.,
Day, Inc.,
Deal-Roseld Corporation,
Deerwood Swimming Pool, Inc.,
Defense Housing Corporation of New Jersey,
Dehydration Incorporated,
De Laine Hat Mfg. Co.,
Deller Corporation,
De Luxe Auto Supply Co.,
Dependable Stoker Co.,
Diamond T. Sales and Service Co.,
Dispatch Transfer Co.,
D. & J. Auto Sales Co.,
D. L. G. Construction Co., Inc.,

D. M. L. Corporation,
D & M Robinson, Inc.,
Dobbins Company,
Dr. E. C. Hazard Hospital,
Domestic Laundry Company of Camden, New
Jersey,
Dom Michael's,
Ducha, Inc.,
Duchess Sweets and Nut Shoppe,
Duncan Traders, Inc.,
Dunham Packing Company,
Dyer Confectionery,

East Brunswick Realty Company, Inc,
East Coast Properties, Inc.,
Eastern Holding Company, Inc.,
Eastern Seaboard Engineers, Inc.,
East Ninth Street Corporation,
Eberstesco Corporation,
Edgewood Construction Company,
Edgla Holding Co.,
E. D. L. Motors Corp.,
Edna M. Muns, Inc.,
Eds Boats, Inc.,
Edward C. Oertzen Agency, Inc.,
Edward F. McKenna, Inc.,
Edward J. Schroeder Lamp Works, Inc.,
Edward R. Burt & Co. Inc.,
Edwards Floor Shop, Inc.,
Edward Sheldon Corporation,
Efficient Corporation,
Eflor Realty Corporation,
Ege Jackson Realty Company,
E. G. F. Corporation,
E. Hensler Co.,
Ehrlich Company,
E. H. Young & Son, Inc.,
876 Palisade Avenue, Teaneck Corporation,
88 Van Reypen St. Corp.,
80-82 Livingston St., Co.,
Eisenberg's Cut Rate Paint & Wall Paper Co., Inc.,
Elbeck Realty Corporation,
Electrical Shop,

11 Hoskier Road Holding Co. Inc.,
Eleventh Street Corporation,
"Elizabeth Corp.",
Elizabeth General Tire Service,
Elizabethport Hotel, Inc.,
Elm Food Shop,
Elmora Beef Co., Inc.,
El Mora Super Service Station, Inc.,
E. L. T. Holding Co.,
Elto, Inc.,
Emil Matzner Building Construction Co.,
Emily's, Incorporated,
Emma Corporation,
Emobee Company,
Enell Service Station, Inc.,
Enterprise Laundry Co. Inc.,
Epicureans, Inc.,
Erle-Bowman Corporation, Inc.,
Esposito Inc.,
Essex County Skating Club,
Essex Fertilizer Corporation,
Essex Store Fixture Mfg. Co.,
Essex Union Title Service,
Estate Consultants Company, Inc.,
Esther Company,
Eureka Cutting Service Inc.,
Eureka Lofts, Inc.,
Everglad Corporation,
Evmor Corporation,
Excel Automatic Products Co., Inc,
Exeter Corporation,

Factory Holding Corporation,
Fairclough Fuel Co.,
Faircoe Construction Co,
"Fair Lawn Gardens, Inc.",
Fair Merchandise Corp.,
Fairmount Hotel Company,
Fairview Gardens, Inc.,
Fairview Photographic and Finishing Co.,
Falcons Home of Passaic, New Jersey, Also known
as Sokolinaz Passaic, New Jersey,
Falco Realty Co.,

Falls City Realty Co., Inc.,
Family Home Builders, Inc.,
Family Shoe Store, Inc.,
Fanet Beauty Shoppe, Inc.,
Fanice Furs, Inc.,
Fannie Millman, Inc.,
Fansol Realty Co. Inc.,
Farshap Inc.,
Fashion Frames, Inc.,
Fashion Laundry Service,
Federal Construction Company,
Federal Development Corporation,
Federal Garden Homes, Inc.,
Federal Tube Fabricating Co. Inc.,
Feitlinger's, Inc.,
Feldman Realty Company,
Feliks Market,
Fentzlaff & Turner, Inc.,
Fern Beauty Shops,
Fern Carol Realty Co. Inc.,
F. G. W. Sound Advertising Company,
"Fields Tire Service, Inc.",
58 Catalpa Avenue, Inc.,
Finance Furniture Company,
Fire Devices, Inc.,
Fireside Improvement Company,
First Step Realty Corporation,
Fischer's Delicatessen, Inc.,
Fisher Patents, Inc.,
Fishers Esso Service, Inc.,
Five Fifty Five Realty Co.,
566 Hudson Ave. Corp.,
562 Carson Avenue, Inc.,
Five Thirty-Eight Washington Street Corporation,
Fleming Avenue Corporation,
Fleming Manufacturing and Engineering Corporation,
Fleming's Beauty Salon,
Florham Park Home Builders Co.,
F. & L. Realty Company,
Ford Chemical Corporation,
Ford Williams, Inc.,
Forest Glen Construction Co.,

47-49 Summit Avenue Corporation,
Foster's Drug Store,
Foster's Drug Store of Montclair,
Foster's Drug Store of Upper Montclair,
457 Mt. Prospect Ave., Corp.,
490 Grand St. Corp.,
492 Boulevard Realty Corporation,
433 Third Avenue,
429 Livingston Avenue, Inc.,
421 Third Avenue,
4700 Park Avenue Corporation,
Frain, Inc.,
Frain Realty Company,
Franeline Inc.,
Frank J. Mauger, Inc.,
Franklin 5c to \$1.00 Store, Inc.,
Frank Vrana Incorporated,
Frederick J. Holmes Agency,
Frederick Paul Realty Co., Inc.,
French Delicatessen & Liquors,
French Street Corporation,
Fried-Knoller, Inc.,
Friendship Realty Co., Inc.,
Fullerton Transportation Co.,
Funding Company of New Jersey,
Furman's,
Furniture Contract Purchase Company,
Furniture Holdings Inc.,

Galwhite Corporation,
Garden State Fuel & Oil Co. Inc.,
Gardmac Company,
Gare & Stein, Inc.,
Garfield Sport Coat Company Inc.,
The Garfield Woodworking and Lumber Co. Inc.,
Garner Bros., Inc.,
Garry's Inc.,
Gat Realty Corporation,
Gavin Industries, Inc.,
G. B. W. Realty Associates,
Geldson Realty Company,
Gem Trailer, Inc.,
General Discount Company,

General Home Improvement Co.,
General Machine Company, Inc.,
General Waste Products Co., Inc.,
George Cheit Inc.,
George F. Hewson Co.,
Gerard Chemical Company,
Gertrude Corporation,
G. G. & Y., Inc.,
Gibraltar Construction Co. Inc.,
Gibraltar Realty Co.,
Gilman Shoe Repairing Co.,
Gionti Realty & Construction Co.,
G. & J. Mfg. Co., Inc.,
G-k Shoe Repairing Co.,
Glendale Holding & Investment Co. Inc.,
Gleneida Corporation,
Glen Improvement Co.,
Glen, Inc.,
Glentex, Inc.,
Glenwood Homes, Inc.,
Globe Apartment Company,
G. & L. Taxi Service, Inc.,
Gold Seal Mortgage Corporation,
Gordon Coal Co. Inc.,
Goss Dairy Products, Inc.,
Gotham Distributors, Inc.,
Gothic Finance Co. of N. J.,
Grady Storage Warehouse Inc.,
Graphic Arts Research Corporation,
Greenfeld Realty Company,
Green-Heymann-Jacobs Inc.,
Greenville Council Realty Corporation,
Greenville Sales & Service, Inc.,
Greenwood Markets, Inc.,
Grefco, Inc.,
Griffin Holding Company,
Gropper's Inc.,
Gross Sign Shop, Inc.,
Grove Construction Corporation,
The Grove Street Shoppe, Inc.,
Gruber's Camera Exchange, Inc.,
G & S Amusement Corp.,
Guarantee, Inc.,

Guenther Plumbing and Heating Co. Inc.,
"Gulf Construction Company, Inc.,

Haberle Drug Company,
Hackensack Laundry Service, Inc.,
Haddon Valley Realty Co.,
Haddonfield Motor Service Inc.,
Hager's Service Station, Inc.,
Half Way Tavern, Inc.,
Halstead Poultry Market,
Halsted Building Co.,
Hamilton Apartments, Inc.,
Hammer Coal Company,
Handford Brown Company,
Haney Coal and Supply Co.,
Hanover Realty Co. Inc.,
Harbor Service Co., Inc.,
Harcen Company,
Hardebaugh Realty Co.,
The Haresh Company,
Harmon Inc.,
Harmony Homes, Inc.,
Harms Holding Company,
Harold Realty Co., Inc.,
"Harrison Clothing Co.,"
Harry A. Evertz, Jr. Inc.,
Harry Barber Co., Inc.,
Harsame Realty Corporation,
Hart Coal Company,
Haruth Holding Co.,
Har-Wall Co.,
Haulmore Coal Co.,
Haver Corporation,
H. B. Burnell, Inc.,
H. & B. Realty Co.,
H. Cohen, Inc.,
H. Coven, Inc.,
Heinz Bros. & Sons, Inc.,
H. Eisenberg Engineering Company,
Helen's, Inc.,
Henry Bunker, Inc.,
Henry Bunker Realty Company,
Henry C. Tilley, Inc.,

Henry Knapp, Inc.,
Henrys, Inc.,
Henschel's Service Stations Inc.,
Herald Printing Company,
Herbert C. McVoy, Inc.,
Herman Braun Realty Corp.,
Hersh-Carlton Hotel Company,
Heywood Hillman & Co.,
H. Friedman, Inc.,
H. G. Company, Inc.,
H. H. Stewart Co.,
"High Clothing Co. Inc.,"
Highland Park Bakery, Inc.,
High Street Inc.,
Highway Bar & Grill, Inc.,
Highway Signals, Inc.,
Hines' Appliance Service, Inc.,
Hittscher's Delicatessen, Inc.,
H. and L. Produce Co.,
H L R Realty Co.,
H & M Construction Co.,
Hoboken Hay & Grain Co., Inc.,
Hodes Investment Corp.,
Holland Cleaners & Dyers, Inc.,
Holland Hosiery Company,
Hollis Realty Co. Inc.,
Hollywood Beauty Salon,
Hollywood Features, Inc.,
Hollywood Pedi-Form Co.,
Home Construction Co.,
Homecraft, Inc.,
Home Decorators,
Home Development Corp.,
Home Furniture Company of Morristown, N. J.,
Home Furniture Co. of Summit,
Homeland Development Corporation,
Homeland Finance Corporation,
Homeland Realty Associates,
Home Laundry of Rutherford,
Home Property Co.,
Homer Corporation,
Homes For Defense, Inc.,
Homestead Supply Company,

Home Study Institute Inc.,
Hometown Service, Inc.,
Homixfeld Demolishing Corp.,
Honora T. Crosby, Inc.,
Hor Holding Corporation,
Hornblower Drug Co.,
Horn Stations, Inc.,
Horse Shoe Wine & Liquor, Inc.,
Hotel Macon, Inc.,
Hotel Management Corp.,
Hotel Realty Co.,
Household Holding Co. Inc.,
Howell-Murchison, Inc.,
Howlett & Gutleber Construction Company,
H. T. Silk Co., Inc.,
Hudson Can & Drum Corp.,
Hudson Cliffs Realty Company,
Hudson Land and Improvement Company,
Hudson & Monmouth Real Estate Corporation,
Hudson Oil Company,
Hudson Outfitting Co.,
Hunter-Higgins Landscape Service Co.,
Hurst Fuel Co.,
Hutchison & Sargent, Inc.,
Hutch's Bar-B-Que, Inc.,
Hy-Grade Rabbit Breeders, Inc.,
Hy's Inc.,
Hy-Way Restaurant and Grill, Inc.,

Ibee Homes, Inc.,
Ideal Home Sites, Inc.,
Imp Publishing Co. Inc.,
I & M Realty Company,
Incandescence, Inc.,
Independent Auto Wreckers, Inc.,
Independent Ice & Coal Co.,
Independent Kosher Butchers Inc.,
Independent Laundry Co. Inc.,
Independent Linen Coat & Apron Supply, Inc.,
Indian Pond Tavern, Inc.,
Industrial Consultants Inc.,
Industrial Holding Co.,
Industrial Laboratories, Inc.,

Insert-O-Seal, Inc.,
Inspection and Supervision Service Associates, Inc.,
International Import & Export Co. Inc.,
Inter-State Construction Company,
Interstate Investment Corporation,
Interstate Pulp and Lumber Co.,
Investment Acceptance Company,
Investors Advisory Service of Montclair,
Island Trading Corporation,
Italian Musical String Company,
Ivy Realty Co., Inc.,

Jack and Jill Sportswear Mills, Inc.,
Jackrin Realty Corp.,
Jackson Corporation,
Jack's Quality Market, Inc.,
Jacobson's Hub Clothing Store, Inc.,
Jaeger and Krumme, Inc.,
Jamar Realty Company Inc.,
James A. McMahon, Inc.,
James T. Flannery Co.,
James Wilson & Son, Inc.,
Ja-Mil Theater Enterprises, Inc.,
Jannarone Contracting Co.,
Jaqui Sales Co.,
Jason Investment Company,
"JAT" Advertising Corporation,
The Jay Development Corporation,
The Jay Holding Company,
Jay-Kay Contracting Co. Inc.,
"Jay-Kay Corporation.",
Jay Paul Co., Inc.,
Jay Vee Realty Co.,
Jay W. Realty Associates,
J. Coyman Co.,
J. C. Trucking Co., Inc.,
Jeaneno Realty & Investment Company,
Jeanne's Rendezvous of Mountain View, New Jersey, Inc.,
Jefferson Construction & Realty Co.,
Jenny's Tavern, Inc.,
Jermar Realty Company,
Jerry's Lunch, Inc.,

Jersey Alloy Smelters, Inc.,
Jersey Carload Clearing Bureau,
Jersey Corp.,
Jersey Majestic Bakery, Inc.,
Jersey Plumbing & Heating Corp.,
Jersey State Chemical Co.,
Jersey Triangle Corp.,
Jewish Chronicle Publishing Company,
J. Frank Donovan Coal Co., Inc.,
J. I. & E. T. Lyle, Inc.,
Jim's Diner Inc.,
J. L. B. Corporation,
J. Marzigliano & Sons,
The Joan Beauty Parlor Inc.,
Joanna Holding Corporation,
John A. Gulow Engineering Corporation,
John G. Keyler, Inc.,
John L. Fisk Company, Inc.,
John R. Sanderson Maintenance Co.,
Johnson Motors Inc.,
John Stacy Shoe Corp.,
John W. A. Zeliph, Inc.,
John W. Bruce Company,
Joseph Christ Jr. & Company,
Joseph Eckel & Son, Inc.,
Joseph J. Albrecht, Inc.,
Joseph L. David, Inc.,
Joseph Lieb, Inc.,
Joseph's Original Hair Stylists,
Journal Square Parking, Inc.,
J. Park & Sons, Inc.,
Julia Pupa, Inc.,

Kaden's Pharmacy, Inc.,
Kalman Realty Co.,
Kamay Shops, Inc.,
Karkus Brothers, Inc.,
Kasen's Pants Stores, Inc.,
Katz Decorating Co., Inc.,
Kaufman-Kahn Co.,
Kaufman and Smith Inc.,
Kayaness Corporation,
Kaydee Realty Corp.,

Kay Waterproofing Corporation,
K-B Music Co. Inc.,
K. & C. Raybestos Brake Service Corporation,
K & D Restaurant, Inc.,
Kearnap Realty Corp.,
Kearney & Burger Stone Setting Co.,
Keenan Beverages, Inc.,
Kee-Ray Operating Corp.,
Kennburr Corporation,
Kenneth Realty Corp.,
Kensington-Bergen Realty Corporation,
Kensington Realty Holding Corp.,
Ken's Market, Incorporated,
Keyos Agency,
Keystone Vending Company of New Jersey, Inc.,
K. H. I. Co.,
Kibblets, Inc. of New Jersey,
Kilmer Diner, Inc.,
King Coal & Fuel Co.,
Kingsland Farms, Inc.,
Kleinsorgen & Sons, Inc.,
Klen-Zit Company of New Jersey,
Knights of Columbus Building Association of
Newark, N. J.,
Knitted Novelties, Inc.,
Knox Fence Company,
Kopeka Realty Company,
Kramer Provision Co., Inc.,
Kuhlmann Restaurant, Inc.,
Kurkjian & Company, Inc.,
Kuskin Meat Market, Inc.,

Lady Baltimore, Inc.,
"La Grange Realty Co.",
Lake Company, Inc.,
Lakeland Construction & Improvement Corpora-
tion,
Lakewood Dairy Products Co., Inc.,
Lakewood Garment Company, Inc.,
Land Sales Corporation,
Lane Furniture Company, Inc.,
Langold Realty Company,
Lanzner's Inc.,

Larry Amusement Corporation,
Latimer System Inc.,
Laundry Machinery Dealers Exchange,
Lavelle Steel Bar, Inc.,
La Verej Holding Co., Inc.,
Lawnside Park,
Lawrence Realty Co., Inc.,
Lawyers Syndicate Mortgage Company,
Leader Cloak & Suit Co.,
Ledgewood Diner, Inc.,
Lee J. Sherman & Co.,
Lee Realty Corp.,
Lee's Wine and Liquor Co., Inc.,
Leitch Incorporated,
Leitch Manufacturing Company,
"Lemac Realty Company Inc.",
Le Massena Music Company,
Lena Realty Company,
Leonard Gilson Realty Co.,
Leone Lumber and Piling Co.,
Leon Feist, Inc.,
Leonia Investment Co.,
Leonia Publishing Company,
Leopoldo Auriemma, Inc.,
Lepre Construction Company,
Leslie's Drug Store, Inc.,
Lest, Inc.,
Letz & Gallinson, Inc.,
Levine Agency, Inc.,
Lewis Management, Inc.,
L. H. and B. Realty Company,
L. & H. Theatres, Inc.,
Liberty Sales Corporation,
Lichtiger Realty Co.,
Lido Realty Co., Inc.,
Lido Shoes, Inc.,
Lincoln Auto Sales of Newark,
Lincoln Avenue Corporation,
Lindsley Refrigeration Company Inc.,
Linen Dyeing and Finishing Co Inc,
Livingston Realty Company No. 1,
L. J. Valentine, Inc.,
Lodi Holding Corp.,

Lohse Mfg., Inc.,
The Loom,
Lord's Fashion Centre, Inc.,
Lorica Laboratories Inc.,
Lorraine Construction Company,
Lorson Realty Company,
Lottie Holding Company,
Louis' Cocktail Bar, Inc.,
Louise Holding Company, Inc.,
Louis G. Dehn & Co., Inc.,
Louis Kamm, Inc.,
Louis L. Brever, Inc.,
Lucille Holding Co.,
Luckite Processes, Inc.,
Lyndhurst Motors, Inc.,
"Lyndhurst Swimming Pool, Inc.",
Lynwood Realty Company,
Lyons Trucking Company,

"Mabs Specialty Co.",
Machine Group, Incorporated,
Machine Products Limited,
Machine Tool Institute,
Mac Holding Company,
Macopin Truck Farm, Inc.,
Macopin Turkey Farm, Inc.,
Mme. Isabelle Co., Inc.,
Madison Bar and Grill,
Madison Corporation,
Madison Grill, Inc.,
Madison Transportation Co.,
Maelee Realty Corporation,
Maenner's Cafe, Inc.,
Magic Development Co.,
"Magnum Realty Co. Inc.",
Maik's Food Market, Inc.,
Main Street Company,
Maio Poultry Co., Inc.,
Majo Realty Co., Inc.,
Makmas Realty Corporation,
Maltby Homes,
Management Corporation of New York,
Manart, Inc.,

Manhattan Realty Co. Inc.,
Manley, Inc.,
Manny's Garage, Inc.,
Maple Brook Corporation,
Maralbert Holding Corporation,
Maray Corporation,
Marcy Realty Corp.,
Margate Construction Corporation,
Marie-Henrietta Beauty Studio, Inc.,
Marine Stevedoring Corporation,
Maritime Shipbuilding & Repair Corp.,
Market Fabrics Corp.,
Market Maple, Inc.,
Marlaine Corporation,
Marlboro Dehydration, Inc.,
Marlen Realty Co.,
Martin S. Duschock, Inc.,
Mason Construction Company,
Mason Contracting Corporation,
"Master Construction Company",
Mathews Heat Treating Company, Inc.,
Maybelle Stores, Inc.,
Mayfare Corporation,
"May Farms, Inc.",
Mayflower Inn,
Mayhew Inc.,
May Service Station, Inc.,
Maywald-Fleming Patents Corporation,
McArdle Bar and Grill, Inc.,
McArdle Real Estate Company,
McCarthy Engineering and Mill Supply Co.,
M. C. Hotel Co. Inc.,
Mckinley Auto Service Co.,
M. and D. Contracting Co., Inc.,
M. Drucker & Sons Inc.,
"Mechanical Research, Inc.,"
Medical Center,
Meister Brothers Transportation Co.,
Melcrest Market, Inc.,
Melo Holding Corporation,
Merchants Parcel Service,
M. E. R. Inc.,
Merit Coal Co. Inc.,

Merit Construction Company,
Metals Corporation of America, Inc,
Metropolitan Clothes Shop,
Metropolitan Dyeing Company,
Metropolitan Equipment Corporation,
Metropolitan Holding Company,
The Mets-Bloodgood Corporation,
Meyer Kotok, Inc,
M. F. Tavern, Inc.,
M. Goldensohn & Co.,
M. Holover, Inc.,
M. H. S. Corporation,
Michael Sako, Inc.,
The Middle Jersey Realty Company,
Middlesex Garage and Bus Co. Inc.,
Midland Avenue Realty Corporation,
Midland Hardware, Inc.,
Mid-West Protexacar Corp.,
Mildan Builders, Inc.,
Millbeck Realty Co.,
Miller Marine Realty Co.,
Mill Realty Company,
Mills-Humes,
Milltown Farms Inc.,
"Milton's Tip Top Club",
Minot House Corporation,
Miry Run Poultry Farm, Inc.,
M. & J. Steel Drum Co., Inc.,
M & K Banana Corporation,
M. L. B. Corp.,
Modern Building Company, Inc.,
Modern Furniture Co, Inc.,
Modern Masonry Corp.,
Modern Surgical Supply Co.,
Modern Weighing Machine Corp.,
Monarch Pattern Company, Inc.,
Monitor Estates, Inc.,
Monmouth Builders & Developers, Inc.,
Monmouth Store Fixture Co., Inc.,
Monroe Realty Company,
Monroe U-Drive-It, Incorporated,
Montano Trucking Company, Inc.,
Montclair Construction Corporation,

Montclair Tire & Battery Service Inc.,
Montgomery Scrap Iron & Metal, Inc,
Moore Home Pastry, Inc.,
Mooseheart Restaurant, Inc.,
Morgan Beach Company,
Mormar Realty Co.,
Morris Store, Inc.,
Morristown Machinery Exchange Inc,
Morton Realty Co. Inc.,
Mothson Corporation,
Motor Carrier Utilities, Inc.,
“Motor Express & Terminal Corp.”,
Mount Holly Holding Company,
M. & P. Builders Inc.,
M. P. Popper, Inc., No. 2,
M. & S. Hotel Co., Inc.,
Muehlhausen Coal Company of Matawan, New
Jersey, Inc.,
Muller’s Tavern,
Mullers Warehouse Corp.,
Musiker Home Builders, Inc.,
Mutual Construction Co.,
Mutual Spraying, Inc.,
M. V. Realty Co., Inc.,
Myleage Laboratory, Inc.,
“Myles Electric Motor Repairs Co., Inc.,

Napoli Dress Co., Inc.,
Nashville Avenue Corp.,
Nassau Laboratories Corporation,
National Housing Service, Inc.,
National Marble and Tile Co.,
National Park Homes Corporation,
National Products Corporation,
Natkay & Son, Inc.,
Naw Holding Corporation,
Nectar Bottling Works, Inc,
Neiderman’s Exclusive Footwear, Inc.,
Neilson Street Company,
Neirbo Realty Company,
Nelok Corporation,
Nelson Press, Inc.,
Nelson Towing Lines,

Net Lease Corporation of New Jersey,
Newark Agency, Incorporated,
Newark Specialty Co., Inc.,
Newark Union Development Corporation,
New Coat Company,
New Elkhorn Tavern,
New Harriet, Inc.,
New Jersey Beverage Co. Inc.,
N. J. Bureau of Liquidators,
New Jersey Corporation's Agency,
New Jersey Engraving Works,
New Jersey General Agencies, Inc.,
New Jersey Kew Gardens Realty Corporation,
New Jersey Newspapers, Inc.,
New Jersey Real Estate Company,
New Jersey Retail Board of Trade,
New Jersey Salvage Co. Inc.,
New Point Corporation,
New York Diesel Institution, Inc. of New Jersey,
N & H Corporation,
• N. H. M. Building Corporation,
901 Elizabeth Avenue, Inc.,
933 Willow Ave. Corp.,
912 Sanford Avenue Corporation,
Nino de Nicola & Co.,
Ninth Street Realty Company,
N. Micucci & Son, Inc.,
Noel's Jewelry Shop, Inc.,
Normandy Beach Club, Inc.,
North Atlantic Cleaners & Dyers, Inc.,
North Bergen Garage Inc.,
Northend Tavern, Inc.,
Northfield Greenhouses,
North Jersey Airport Inc.,
North Jersey Corp.,
North Jersey Transportation Co.,
North Wildwood Grocery,
Norwood Homes,
Notrom Holding Co. Inc.,
Nulife Gym & Recreation Center,
Numark Dairy Farms, Inc.,
No. 77 Seymour Avenue Corporation,
"N. W. R. Realty, Inc.",

Oak Building Company,
Oak Hill Development Co.,
Oak Hill Park,
Oaks Apartment Co.,
O. A. Tyler, Inc.,
Ocean City Country Club,
Ocean City Harbors,
Ocean City Mortgage, Service and Guarantee
Company,
O'Connor Contracting Company, Inc.,
O. D. Flooring Corp.,
Office Cafe, Inc.,
The Offset Printery, Inc.,
Ogden & Cadmus,
OHR Estate Inc.,
Old Fashion Tavern,
Old Timers' Tavern, Inc.,
Olean Construction Company, Inc.,
189 Company,
186 George St., Corporation,
111 Brighton Avenue, Inc.,
One Eleven Chestnut Corp.,
One Hundred and Fifty Seven Chadwick Ave. Cor-
poration, Inc.,
145 South 10th Street Corporation,
140 Main St. Inc.,
104-106 Church Street, Inc.,
191 Grove Corporation,
116 Rector Street, Inc.,
One-Sixty Corporation,
169-Commercial,
One-Ten Realty Corp.,
One-Ten Washington Street Corporation,
One Twenty-Nine Hudson Street Corporation,
1319 Washington St. Corp.,
1026 East Jersey St. Corp.,
Onore's and Babbit's Cleaning Shop, Inc.,
Opticase Company,
Oradell Housing Corp.,
Oranday Realty Co., Inc.,
Orient Air Conditioning and Commercial Refrig-
erating Company,
Orient Holding Co.,

Orlando Investment Corporation,
Ossi-Palatini, Inc.,
Otto Burneleit, Inc.,
Overlook Housing, Inc.,
Owl Liquors, Inc.,
Oxman Lumber Co,

Palace Beauty Shoppe, Inc.,
Palmer Chevrolet Company,
Palmer Homes, Inc.,
Palmieri Motor Sales, Inc.,
Pal-Mont Tavern Inc.,
Pameco Inc.,
Panco Trucking Company Inc.,
Paper Products Manufacturing Corporation,
Parachute Training Inc.,
Paradell Realty Company, Inc.,
Paradise Gnocchi & Ravioli Co.,
Paramount Investment Company,
Paramus Turkey Farm, Inc.,
Parco Holding Corporation,
Park Corporation,
Parker House,
Park-Roosevelt Realty Company, Inc,
Parkside Development Company,
Park Studios, Inc.,
Park West Co.,
Pascack Motor Co., Inc.,
Passaic Bergen Labor Journal,
Passaic Bobbin Company,
Passaic Land and Securities Company,
Paterson Commercial College,
Paterson Motor Repair Company,
Paterson Roses Inc.,
Paterson Silk Stores, Inc.,
Paul Lacava, Inc.,
Paulmartin Trucking Corp.,
Pavilion Realty Corporation,
Pawley & Company,
Peace Dairy Farms, Inc.,
Pearse Packing Co., Inc.,
Pearson Engineering Corporation,
Peerless Management Corp.,

Peerless Musical Instrument Co. Inc.,
Peiper Realty Corporation,
Pengad Manufacturing Co.,
Penn Manor Co.,
Pennsylvania Products & Equipment Co.,
Pequan Corporation,
Perfection Manufacturing Company,
Personal Credit Plan,
Peter Butera, Inc.,
Petri Realty Inc.,
P & F Scavenger Company,
P. Giovannone & Sons, Inc.,
Phillipsburg Land Company,
Phoenix Grove, Inc.,
Phoenix Machinery (Incorporated),
Phoenix Slippers, Inc.,
Pierson Construction Company, Inc.,
Pike Agency, Inc.,
Pine Hill Country Club and Ranch Inc.,
Pine Lumber & Millwork Co Inc,
Pine Ridge Farms, Inc.,
Pinnas & Pinnas Company,
Pioneer Log Cabin Corporation,
Pistell & Company, Inc.,
Pitasky's Incorporated,
Pitman Park Homes, Inc.,
Placques, Incorporated,
Plastic Plumbing, Inc.,
Plastics Molding Corp.,
Plavecite Paint & Polish Company,
Plaza Cafeteria,
Plaza Hotel Corp.,
Plaza Hotels Company,
Plaza Interests, Inc.,
P. L. Coffin, Inc.,
Pleasantville Motor Company,
P. and M. Cutting Contractors, Inc.,
P and M Incorporated,
Point Pleasant Moving & Storage Co.,
Polte Service Garage, Inc.,
Pompton Valley Agency,
Pontian Bentonite Company, Inc.,
Popovitch Realty Company,

Portable Window Scaffolds Co. Inc.,
Portchester Corporation,
Port Reading Coal and Supply Co.,
Portside Manufacturing & Storage Co., Inc.,
Powdered Food Products Company,
Prawda Publishing Co.,
Preparatory Training Institute,
Prescott Apartments Inc.,
Preston Corporation,
Princeton Central, Inc.,
Princeton Dairy Co. Inc.,
Prinzo-Cappiello, Inc.,
Professional Service Credit Association of New
Jersey, Inc.,
Progressive Art Tile Company, Inc.,
Progressive Underwriters Agency, Inc.,
Prospect Pharmacy, Inc.,
Prospect Roller Rink, Inc.,
Prosperity Land Company,
Prosperity Launderers and Dry Cleaners, Inc.,
Prudential Household Supply Company,
Pub, Inc.,
Pur-O-Seal Products Company,
Pyramid Enterprises Inc. of New Jersey,

Quality Embroidery Co. Inc.,
"Quality Service Laundry, Inc.",
Queen Togs, Inc.,

"Raabe's Market, Inc.",
Rah-Main Co.,
Railroad Haulage Co. Inc.,
Railway & Marine Specialties Corporation,
Ralston-Irving Company,
Ramapock Realty Co., Inc.,
Ramawana Park, Inc.,
Rancocas Racing Development Corporation,
Randolph Corporation,
Raritan Corporation,
Raritan Inn, Inc.,
Raucher Estates, Inc.,
Raymor Frocks,
Ray's Garage & Bus Co. Inc.,

Realhold Mortgage Corporation,
Red Bank Corporation,
Red Seal Trucking Company, Inc.,
"Reeds Credit Jewelers, Inc.",
Rehman Construction Company,
Reichert Corporation,
Reider's Pharmacy, Inc.,
Reliable Home Construction Co.,
Reliable Metal Spinning Co. Inc.,
Rem Estates, Inc.,
Rena Beauty Salon,
Renner Holding Co.,
Rexall Realty Company,
R and F Meat Company,
R. G. and W. M. Cory, Inc.,
Rhode Chemical Company, Inc.,
Rho Realty Incorporated,
Rial Corporation,
Rialto Importing Company, Inc.,
Ricciardi Bros., Inc.,
Richard J. Norrell Company, Inc.,
Richard R. Miller, Inc.,
The Rickshaw Incorporated,
Ridgefield Holding Co.,
Ridge Investment Corporation,
Rielstan Investment Company, Inc.,
Riggins and Sack, Inc.,
Rite-Way Shoe Repairing Co.,
Ritz Fashion Shoppe,
"River Dress Corporation",
River Terrace, Inc.,
Riverton Main Street Market,
Riviera Florists Shoppe,
Robert L. Stevens Agency Inc.,
Robsem Company,
Rockleigh Land & Development Company,
Rocks Drug Store,
Rollo Realty Co., Inc.,
Rome Bros., Inc.,
Rommy Realty Co., Inc.,
Ronald Mfg. Co.,
Rosale Holding Co.,
Rosal Improvement Co.,

Rose, Inc.,
Rose Maywood Corporation,
Rosemount Cemetery Association, Inc.,
Ross Furniture Co. Inc.,
Rossmax Realty Co.,
Roxy's Pleasure Fishing, Inc.,
Royal Amusement Corporation,
Royal Box Lunch Inc.,
Roy-Harris Co.,
R & R Embroidery Works,
R & S Liquors, Inc.,
R. Tom Sawyer, Inc.,
Rubber Grinders, Inc.,
Rubin and Klein Realty Corporation,
Rubin's Market, Inc.,
Ruderman Bros.,
Rusling Stone Company,
Russell's, Inc.,
Rusty's Long Bar,

Safe Realty Company,
Safety Bottle Breaker Co.,
St. Cloud Realty Co.,
Saint Demetrios Realty Corp.,
St. Leonard Co.,
Samay Realty Co., Inc.,
Samco Tire Co.,
Samjo Realty Company,
Sampson Coat Co. Inc.,
Samuel H. Gordon Holding Corp.,
Sanders Manufacturing Corporation,
Sand Hills Realty Co.,
Sandra Realty Co.,
Sani-Table Sales Corp.,
SA & SA Realty Company, Inc.,
Saveria Ruffalo Realty Corp.,
Savoy Delicatessen & Restaurant, Inc.,
"S" and "B" Corporation,
S. & B. Machine Co.,
Scannelli Service Inc.,
Schlossbach Field, Inc.,
Schraalenburgh Building Corporation,
Schultz Clothes Shop, Inc.,

Schwartz's Plumbing Supply,
Schwarz Agency, Inc.,
Schwitter, Clover & Starkweather, Inc.,
Scovill Construction Co. Inc.,
S. C. & W. C. Mfg. Co., Inc.,
S. Czech & Sons, Inc.,
The Sea Beach Corporation,
Seagull Specialty Company,
Secaucus Fertilizing Corp.,
Second Avenue Company,
Security Development Corporation,
Seeley Paper Convertors Company,
Sefo Realty Corp.,
S.E. Garment Co. Inc.,
Selma Realty Corporation,
Senac Corporation,
Sennert Realty Co.,
Serafino Hamilton, Inc.,
Seth Realty Co Inc.,
715 Building Corp.,
759-761 Avenue A Corp.,
709 Newark Ave. Inc.,
Seventeen Maryland Corp.,
70 Fayette Street Co.,
71-73 Brighton Avenue, Inc.,
S. G. Mason Construction Co.,
Shadylawn Drive Company,
Shadylawn Manor,
S. Hafter,
Shannon Lodge Estates, Inc.,
Shattergard Corporation,
Shaw Realty Co.,
Shaw Welding Co., Inc.,
Sherman's Quality Food Stores,
Sherwin's Furniture Company, Inc.,
Shreve Travel Service, Inc.,
S. H. & S. Holding Company,
Sievers Cinder Service,
Silk City Textile Exchange,
Silva Realty Company,
Silver Monmouth Inc.,
Simoni Bread Company,
Simon and Simon,

Sim Realty Co.,
Sip Holding Co.,
Sisko Realty Co. Inc.,
680 Newark Avenue Realty Corp.,
670 Clinton Avenue Corporation,
616 Freeman Corporation,
634 High Street, Inc.,
637 Company,
633 Westwood Ave. Corp.,
64-66 Madison Avenue, Inc.,
61 Brighton Avenue, Inc.,
Skateland, Inc.,
Skillman Building Corporation,
Skillman Homes Corporation,
Skye Corporation,
S. M. H. Co., Inc.,
Smith & Oak Corporation,
Solitaire Holding Corporation,
Solomon Berg, Inc.,
Somerset Baking Co., Inc.,
Sonoma Sales Company, Inc.,
Sophie Voitovich, Inc.,
"Sorett Notion Co. Inc.",
Southbroad, Inc.,
South Centre Realty Co.,
South Elberon Bathing Co.,
South Elberon Real Estate Company,
South Jersey Pole Company,
South Pacific Navigation Co. Inc.,
Specialty Transformer Company,
Speedway Development Company,
Spintex Textile Co.,
Sportstyle Co Inc.,
Spray Dryer Laboratory Corporation,
Spring Brook Realty Company,
Springfield Machine Co. Inc.,
Springfield Machine Products Inc.,
Spring Lake Gardens Inc.,
Square Luncheonette, Inc.,
S. S. Beautiful,
S. S. H. Inc.,
Stafast, A Corporation,
Stamford Corp.,

Stan Company,
Standard Bending Company,
Standard Development Co.,
Standard Diner, Inc.,
Standard Press, Incorporated,
Standard Sash & Door Co., Inc.,
Stanley Williams Corp.,
Stanwyck Realty Co.,
Star Neckwear Company, Inc.,
Star Print Works, Inc.,
Stasken Realty Co.,
Stedfast Realty Co.,
Steiers Tavern, Inc.,
Stelby Realty Co.,
Stenchever's Shoe Repair Service, Inc.,
Sterling Mortgage Corporation,
Sterling Motors Inc.,
Stern's Mens Shop, Inc.,
Stersan Corp.,
Stetson Realty Company,
Stever Estates Inc.,
Stewart Holding Company,
Stewart, Inc.,
Stillman-Delehanty-Ferris Company,
Stolz's Ring Bar Inc.,
Stonebridge Corporation,
Stone Realty Company,
S. & T. Realty Co.,
Suburban Auto, Inc.,
Suburban Building Corp.,
Sulmet Alloys Co. Inc.,
Sunnyside Homes, Inc.,
Sunrise Contracting Co.,
Sunset Beach Roller Rink, Inc.,
Super Plumbing and Heating Co.,
Surplus Corporation,
Surplus and Salvage Realization Co.,
Sussex County Country Club,
Sweet Briar, Inc.,
Swimmer's Produce Market, Inc.,
Swimming River Country Club of Red Bank, N. J.,
S. & Z. Cleaning & Dyeing Co.,

Tavern Guide Inc.,
Taygor Realty Corporation,
Taylor Realty Co.,
Taylorville Improvement Company,
Tenth Avenue Realty Co.,
Terminal Bar and Grill, Inc.,
Terra Realty Company,
Texas-Pacific Realty Co.,
Textile Products,
Theodore C. Muller Construction Company,
Theodore Rosemarin Embroidery Co.,
Thirty-one Gray Street, Inc.,
33 Realty Co. Inc.,
Thomas G. Seymour, Inc.,
Thomas Holding Corporation,
Thomas Moore, Inc.,
Thomas Wilberton Co. Inc.,
Thompson & Trimble, Inc.,
Thomsen & Horning, Inc.,
Three Acre Club of Lyndhurst,
319 State Street, Inc.,
300 Realty Corp.,
363-367 Bloomfield Ave. Inc.,
325 Corporation,
Threel Realty Company,
Thrift Investment and Realty Company,
Thrill Promotions, Inc.,
Throop Ave. Company,
Thurro Farms, Inc.,
Tip-Top Realty Corporation,
Toman Motor Company,
Tom & John and Glamour Beauty Studio, Inc.,
Tom and Ted Inc.,
Top Hill Realty Corporation,
Torbach Company,
Tower Hill Bowling Corporation,
Trew Corporation,
Triangle Construction Corporation,
Tri-City Flour Company,
"Triple Check Laboratories, Inc.,
Tropical Night, Inc.,
Tropical Produce Co., Inc.,
True Built Homes,

Turntrue Collar Method, Inc.,
21 Lexington Corporation,
23 - 51st Street Corporation,
Twin River Inn,
288 Smith St. Co., Inc.,
286 Smith Street, Inc.,
291 Smith Street, Inc.,
201 - 45th St. Corporation,
200 Summer Avenue Inc.,
Two Ten West Third Corporation,
233 Raritan Ave, Corporation,
229 Raritan Avenue Corporation,
223 George St., Corporation,
Tyme Holding Company,

Union Tap Room, Inc.,
United Coal Stripping Corp.,
United Garages, Inc.,
United Products, Incorporated,
United Stations, Inc.,
Uniti Embroidery Co., Inc.,
Unity Corporation,
Universal Projects, Inc.,
Universal-Warner Manufacturing Corp.,
Upper Montclair Pharmacy, Inc.,
Utility Realty Corporation,

Valemont Realty Corporation,
Val-John Homes, Inc.,
Valley Dude Ranch,
Valley of the Moon Wine Co.,
Vanadium Metals Company,
Van Alstyne Company,
Vanderpool Coop Co., Inc.,
Vanguard Automotive Products Corporation,
"Van Keuren & Son",
Vansul, Incorporated,
Varey-Shea Bag Corp.,
Varsity Inn, Inc.,
Veech's Cafe,
Venezia Construction Co., Inc.,
Ventnor Delicatessen & Liquor Shop, Inc.,
Victory Beef Co.,

Victory Construction Co., Inc.,
Victory Finance Corporation,
Victory Homes Inc.,
Victory Theatre Corp.,
Village Garden,
Vincent Pischl, Inc.,
Vincent Vincentsen and Son, Inc.,
Vinmary Company, Inc.,
Vitale Brothers, Inc.,

Waco Oil Co Inc,
Waco Spinning Mills, Inc.,
Wagon Transportation, Inc.,
Waldman Realty Co. Inc.,
“Walter I. Super, Inc.”,
Walter’s Tavern, Inc.,
Warhog Company,
“Warren Crest Development Company”,
Waste Service, Inc.,
Watchung Ave., Coal and Supply Co,
Water Witch Beach Company,
Waverly Coal Co. Inc.,
Wayne Realty Co.,
Wedgewood Beauty Salon, Inc.,
“Weed Chemical Laboratories, Inc”,
Weiss and Kirshner, Inc.,
Weiss & Rubin, Inc.,
Weskin Corporation,
Western Slope Realty Company,
Westfield Food Store, Inc.,
Westfield Securities Company,
“Westfield Victory Homes”,
West Jersey Shipbuilding Corp.,
Westney Realty Corporation,
West Park Investment Co.,
West Side Realty & Investment Company,
Wheel, Inc.,
White Crown System, Inc.,
White Eagle Bakery, Inc.,
White Eagle Estates, Inc.,
White Horse Tavern, Inc.,
White Mountain Company,
“Whittier Estates, Inc.”,

Wholesale Used Cars, Inc.,
W. & H. Realty Company,
Wiener and Tischler,
Willanta Realty Company,
William F. Hayes Inc.,
Wm. H. Decker Company,
Wm. J. Convery & Sons,
William J. Wall, Inc.,
William W. Biddle Realty Corp.,
Willow Supply Co.,
Wilocon Company, Inc.,
Winco Realty Co.,
Windsor Decorators,
Windsor Dress, Inc.,
Winnett Merchandising Company,
Wittelite Company,
Wittrock's Tea Room,
W. J. W. Walcott, Inc.,
W. N. Y. Theatre Company,
Wohlgemuth, Inc.,
Woodbury Bowling Lanes, Inc.,
The Woodbury Company Inc.,
Woodbury Terrace Company,
Woodcroft Corporation,
Woodside Service Station,
Woodweb Shade Manufacturers, Inc.,
Worthington Publishing Co. Inc.,
Wrightstown News Incorporated,
W. S. M. Embroidery Co.,
W. U. Realty Co.,

Yardville Oil Corp.,
Ye Olde Cedar Farm and Inn,
Yudel, Inc.,

Zeik Realty Corporation,
Zillessen & Son, Inc.,
Zolty Embroidery Works, Inc.,
Zwigard Brothers, Inc.,

are void, and all powers conferred by law upon
such corporations and each of them, are hereby
declared inoperative and void.

[SEAL] Given under my hand and the Great Seal of New Jersey, this fourth day of March, A. D. one thousand nine hundred and forty-seven, and in the Independence of the United States, the one hundred and seventy-first.

ALFRED E. DRISCOLL,
Governor,

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The American Legion will celebrate its twenty-ninth birthday on March 15, 1947, marking a period of service to the Nation which has carried through the readjustments following two devastating wars.

While the American Legion is customarily identified with its interest in veterans' affairs, its sphere of interest and service has in fact extended into activities of every kind designed to preserve our free institutions and liberties. It has assumed great responsibility in the fields of national defense, Americanism, rehabilitation, child welfare, and the building of good citizenship. The Legion's service programs have become an integral part of communities large and small throughout our State and Nation.

It is with a sense of deep appreciation for the sound leadership which the Legion has exerted in matters of veterans' affairs and for its positive approach to the common welfare of all people that the citizens of New Jersey should join in paying

tribute to the American Legion on its birthday anniversary.

THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

THE WEEK OF MARCH 10TH
THROUGH 16TH, 1947,

as

AMERICAN LEGION WEEK

as a token of appreciation of the war-time and peace-time services of our State's and Nation's Legionnaires, and urge all citizens, business establishments, and organizations to display the American Legion emblem during that week in recognition of the humanitarian work and national and community services of the American Legion.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this eleventh day of March, in the year of Our Lord one thousand nine hundred and forty-seven, and in the Independence of the United States, the one hundred and seventy-first.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The American people are justly appreciative of the tremendous progress which has been made by modern medical science on the prevention, control, and cure of hitherto fatal diseases; but this progress is impaired so long as the dread disease of cancer continues to be the number two killer of our people. The tragedy of cancer leaves its mark on almost every American family, killing annually 184,000, or one in every eight.

A magnificent campaign is being conducted against this disease through the increasing efforts of the American Cancer Society which has marshalled the best of our scientific minds to carry on co-ordinated research to discover the causes and cure of cancer, has set up national, State and local educational programs to combat ignorance about the disease, improved services and equipment in the cancer-diagnostic-and-treatment clinics and, generally, provided services to cancer patients in this and other States.

The New Jersey Division of the American Cancer Society, which conducts an annual fund-raising drive during the month of April, deserves the support of all the people of the State for its worth and necessary purpose.

THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

THE MONTH OF APRIL

as

“CANCER CONTROL MONTH”

in the State of New Jersey and urge the citizens of this State to contribute to and support the

American Cancer Society and its cancer control program.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this thirty-first day of March, in the year of Our Lord one thousand nine hundred and forty-seven, and in the Independence of the United States, the one hundred and seventy-first.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, It is the annual custom of the people of the United States to observe "Army Day"; and

WHEREAS, The President of the United States has proclaimed the week commencing April 7th as ARMY WEEK for commemorating the feats of valor of our military men in past wars; and

WHEREAS, This year it is particularly fitting that our celebrations assume a twofold aspect;

All Americans should give thanks and tangibly express appreciation for the glorious accomplishments of our military men and women during the armed conflict so recently concluded.

Americans now tensely await the results of the current peace treaty negotiations, while many of our statesmen, as well as some of our military leaders, warn the people of the United States that another armed conflict between nations is not im-

possible at this moment. And yet, the people of New Jersey have not recovered from the horrors and disastrous effect of World War II. The poignancy of sorrow strikes our souls when we recall the supreme sacrifices of some, the disability of others and the economic maladjustment of many of our veterans. In this welter of confusion it would be well for all citizens of New Jersey, and indeed of the world, to give serious consideration to the grave problems confronting us. Let us search our minds and hearts in order to determine that which each of us may fittingly do to preserve peace and to protect and defend America.

Let us do so as we honor and celebrate the glorious achievements of our military men and women in the past conflict and salute the youth of America which now constitutes our Army.

THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

THURSDAY, APRIL 10TH

as

“ARMY DAY,”

and I sincerely request thoughtful and appropriate observance of the day in conjunction with ARMY WEEK activities. I ask that the flag be flown from places of business, homes and public buildings. I further request that suitable celebrations be conducted throughout the State and that such events be confined to the period of this day insofar as practicable.

AND I do further proclaim the

MONTH OF APRIL

as

RECRUITING MONTH,

and I do earnestly call upon all qualified young men to give serious consideration to devoting their time

and talents to the military services, whether it be a full-time career in the Army or Navy; part-time service with the New Jersey National Guard or other patriotic service.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this first day of April, in the year of Our Lord one thousand nine hundred and forty-seven, and in the Independence of the United States, the one hundred and seventy-first.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

During the week of April 7th through 13th, citizens throughout the Nation have been called upon to take part in a common observance of the work of the Society for the Prevention of Cruelty to Animals. The work of this humane organization in educating the people of our State and Nation, and particularly our youth, to understand animal life, and to have a sense of responsibility and an affection for animals occupies a unique place in our culture.

In recognition of the far-reaching value in the every-day life of all people, of a well-founded education and philosophy of being kind to animals, I,

ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

APRIL 13TH

as

HUMANE SUNDAY,

and urge the citizens of New Jersey to join in support of humane organizations and with the fullest spirit to participate in appropriate observance with the schools, the press, radio, and religious institutions of this State, in the cultivation of the kindness and human understanding which reaches far beyond the animal world.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
eleventh day of April, in the year of
Our Lord one thousand nine hundred
and forty-seven, and in the Independ-
ence of the United States, the one hun-
dred and seventy-first.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The youth of America are its most valued resources of today and its responsible trustees of our culture and civilization for the future; and

WHEREAS, The building of character in growing boys and girls, and the recognition of their potentialities and problems are vital functions of youth-serving organizations of America; and

WHEREAS, The objectives of a boys' and girls' week are to focus public attention upon the activities and problems of our youth, to the end that the potentialities of boys and girls may be fully realized, and that a greater number of adults may be enlisted in the joys and opportunities of youth service; and

WHEREAS, It is desirable to emphasize the coordinate and significant functions of home, school, church and community in meeting our responsibilities to help boys and girls through these disturbed and trying times; and

WHEREAS, It is essential to stimulate the broadest public participation in the teaching of the ways of democracy and of respect for our Nation's laws and institutions, as essential for the development of responsible citizens and sound leaders of tomorrow;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim the week of

APRIL 26 TO MAY 3, 1947,

as

BOYS' AND GIRLS' WEEK,

and I do hereby call upon all community, civic, religious, recreational and social agencies, as well as individual citizens, to co-operate with local Boys' and Girls' Week committees in the work of youth service and character building to which this week is especially dedicated.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
twenty-fifth day of April, in the year of
Our Lord one thousand nine hundred

and forty-seven, and in the Independence of the United States, the one hundred and seventy-first.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

As we approach the date set for the annual observance of Mothers' Day, we may well dedicate ourselves this year to honoring the millions of mothers throughout the world who are still tormented by the horrors and aftermath of war.

A lifetime of devotion to her family, to the rearing of her children, to the making of useful citizens, has brought many, many a mother to the fears and tragedies of war. To those who have lost their loved ones forever, or who have seen them broken in mind and body, May 11th will indeed be a painful reminder of better days. For them we can only hope that they may be able to reconcile themselves to the ways of a world ridden with the evils of excessive power and still to learn the meaning of the brotherhood of man. To those who have lived through the torments of world conflict to enjoy a family reunited in peace and safety, the mark of suffering will long remain.

Millions of mothers throughout the world have found the coming of peace to mean only the sorrowful task of maintaining life and a ray of hope in the pitiful remnants of a family ravaged by war. On this coming Mothers' Day, it is perhaps their

plight above all that we should recognize. There can be no better way of honoring motherhood than of paying homage to the mothers of every nation who from time immemorial have made the family the principal influence upon our society, whose heroic stand in the face of poverty, disease and despair still upholds human dignity in cities and hamlets everywhere.

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

SUNDAY, MAY 11, 1947,

as

MOTHERS' DAY,

and do urge the people of New Jersey to observe this day as their hearts may dictate, and especially to remember the mothers at home and abroad who may be destitute and in need; to aid them with food, clothing and household articles; to support the Catholic, Protestant and Jewish relief programs and the work of welfare agencies.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this seventh day of May, in the year of Our Lord one thousand nine hundred and forty-seven, and in the Independence of the United States, the one hundred and seventy-first.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The President of the United States recently proclaimed Sunday, May 18, 1947, as "I AM AN AMERICAN DAY," the day on which our Nation will honor those who this year have assumed the full responsibilities of citizenship by coming of age or by naturalization; and

WHEREAS, An alert, well-informed and public-spirited citizenry is one of the strongest bulwarks against bigotry, demagoguery and tyranny, which have been the curse of peace-loving peoples throughout history; and

WHEREAS, Education of new citizens in the values of representative democracy and in the discharge of their constitutional responsibilities, without which their rights and privileges cannot endure, is a vital function of the States in our federal system; and

WHEREAS, Emphasis upon the responsibilities of citizenship is peculiarly fitting and proper in New Jersey this year, when we are about to return to the most fundamental task in a republican form of government, the making of a new State Constitution;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of Jersey, do hereby proclaim, in and for the State of New Jersey,

SUNDAY, MAY 18, 1947,

as

I AM AN AMERICAN DAY,

and I do urge that this day be devoted by public officials, educational agencies, and by the public

press to appropriate programs explaining the growth of American institutions, the origin of constitutional liberties and responsibilities, and the meaning of citizenship in general.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twelfth day of May, in the year of Our Lord one thousand nine hundred and forty-seven, and in the Independence of the United States, the one hundred and seventy-first.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, National Maritime Day is observed annually throughout the Nation by proclamation of the President issued pursuant to a Joint Resolution of the Congress adopted in 1933; and

WHEREAS, The daily life and economic welfare of the people of New Jersey are, to a greater extent than in other States, affected by the maritime commerce of the New York-New Jersey harbor facilities and of the Philadelphia-Camden port area; and

WHEREAS, A strong well-equipped and well-trained merchant marine is vital to our national security and to our economic welfare; and

WHEREAS, We welcome the opportunity to honor the men and women, afloat and ashore, who have served our Nation heroically in time of war and who are contributing so much to maintain the supremacy of its merchant fleet,

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby call upon the people of New Jersey to join in the observance of

NATIONAL MARITIME DAY,
MAY 22, 1947,

by displaying the Flag on their homes and other suitable places and by appropriate local civic programs marking this event, and I hereby direct that the Flag be displayed on all public buildings on that day.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this twelfth day of May, in the year of Our Lord one thousand nine hundred and forty-seven, and in the Independence of the United States, the one hundred and seventy-first.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, There was assembled in Trenton on the 14th day of May, 1844, a convention of delegates who in six weeks prepared the Constitution

under which the people of this State have lived and prospered for 103 years; and a like work which we are about to consider will profoundly influence the welfare and happiness of this and future generations; and

WHEREAS, A special election will be held on June 3, 1947, at which the citizens of New Jersey will, by their vote, determine whether or not a State constitutional convention shall again be convened; as well as select their delegates to the convention, if one is to be held; and

WHEREAS, Such elections and the processes of democracy which they represent have suffered in past experiences in this and other States from a lack of a broad and informed public participation; and

WHEREAS, The systematic and comprehensive re-examination of our century-old State Constitution, with the opportunity of making a new Constitution as need appears, is a fundamental liberty of a free people which we must ever guard and protect; and

WHEREAS, Neglect by the people of the fundamental liberties in a representative democracy may lead to decay and destruction of those liberties, tends to undermine faith and confidence in the methods of democracy, and may defeat the will of the majority; and

WHEREAS, It is highly desirable, in the best interest of the people of New Jersey, that there be the broadest possible citizen participation at the coming June 3d special election, and in the consideration of the problems of government which would come before the constitutional convention for its deliberation and proposals;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim the period from

WEDNESDAY, MAY 14,

through

TUESDAY, JUNE 3, 1947,

as

STATE CONSTITUTION DAYS,

and I urge the public press and radio, all public officials, educational and civic organizations to devote STATE CONSTITUTION DAYS to activities and programs designed to achieve the broadest possible understanding of the public interest in constitutional revision; to promote a full appreciation of the importance of exercising the solemn prerogative of citizenship—the right to vote—at the special election on June 3d, next, when the people of New Jersey will decide whether or not they want a constitutional convention, as well as select delegates to the convention if one is to be held.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
twelfth day of May, in the year of
Our Lord one thousand nine hundred
and forty-seven, and in the Independence
of the United States, the one
hundred and seventy-first.

ALFRED E. DRISCOLL,

Governor.

By the Governor:

LLOYD B. MARSH,

Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The government of the United States has, in the interest of securing this Nation's international commitments, adopted the policy of maintaining a strong peacetime Naval Reserve; and

WHEREAS, The United States Navy has undertaken a national Naval Reserve enrollment effort, directed in New Jersey especially toward this State's 172,372 Navy, Marine Corps and Coast Guard veterans of World War II, and to other citizens of this State between seventeen and forty years of age; and

WHEREAS, The Naval Reserve offers an excellent opportunity to the youth of this State to gain instruction and training in numerous Navy-civilian trades and skills, and at the same time to help our Nation maintain its ability to support the United Nations and international peace; and

WHEREAS, Naval Reserve Week will be conducted nationally from May 18 through May 25, culminating in the observance of Naval Reserve Day on May 25; and

WHEREAS, The government of the State of New Jersey is desirous of co-operating with the National Government in assuming the full measure of State responsibility in our Federal system, and of participating in all programs vested with a national interest,

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim and designate the week of

MAY 18 THROUGH MAY 25

as

NAVAL RESERVE WEEK

and

MAY 25

as

NAVAL RESERVE DAY,

and I urge all qualified citizens of this State to consider the opportunities offered by the Naval Reserve for national service and personal advancement, and to support the enrollment effort of the United States Navy to the end that the State of New Jersey shall do its part to assure that our international responsibilities can be met.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
fifteenth day of May, in the year of
Our Lord one thousand nine hundred
and forty-seven, and in the Independ-
ence of the United States, the one hun-
dred and seventy-first.

ALFRED E. DRISCOLL,

Governor.

By the Governor:

LLOYD B. MARSH,

Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The Legislature enacted Chapter 8 of the Laws of 1947, which was approved by the Governor on February 17, enabling the people of this State, through their delegates in a constituent assembly, to exercise their inherent right to alter or reform the State Constitution; and

WHEREAS, In pursuance of the enabling legislation a special election was duly conducted on June 3 to determine whether a constitutional convention, instructed by the people as therein provided, should be convened, and to elect delegates to such a convention if the people vote in favor thereof; and

WHEREAS, It appears that the people have voted overwhelmingly in favor of holding a State constitutional convention and have duly elected delegates thereto in the several counties, as officially to be determined by the Board of State Canvassers on the tenth day of June; and

WHEREAS, The constitutional convention is required by the enabling legislation to convene on June 12 at the city of New Brunswick, or at such other place as the Governor may designate by proclamation; and

WHEREAS, The Trustees and Administration of Rutgers University, the State University of New Jersey, have co-operated fully in offering the facilities of the University and in arranging for the convenience of the convention;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, by virtue of the authority vested in me by law, do hereby designate

the gymnasium on the campus of Rutgers University, the State University of New Jersey, in New Brunswick, as the place at which elected delegates shall receive their credentials, and the State constitutional convention of 1947 shall convene, at the time and in the manner provided by law.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this sixth day of June, in the year of Our Lord one thousand nine hundred and forty-seven, and in the Independence of the United States, the one hundred and seventy-first.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, In my opinion, public necessity requires the convening of the Senate of the State of New Jersey in Special Session;

THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, by virtue of the power and authority vested in me by the Constitution of this State, do hereby convene the Senate of the State of New Jersey to meet in Special Session at the State House, Trenton, New Jersey, on Monday, the thirtieth day of June, nineteen hundred and forty-seven, at eleven o'clock, eastern daylight

saving time, in the forenoon of the said day, for the purpose of receiving nominations.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
twenty-third day of June, in the year of
Our Lord one thousand nine hundred
and forty-seven, and in the Independence
of the United States, the one hundred
and seventy-first.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The truths held to be self-evident by the signers of the Declaration of Independence have become part of our national conscience, as well as a modern inspiration for a world seeking the ways of permanent peace; and

WHEREAS, Our Nation and, at this time particularly, our State, must constantly seek to perfect our form of government, which "derives its just powers from the consent of the governed;" and

WHEREAS, The greater objectives of this republican form of government can be served only through constant reversion of all citizens to the fundamental concepts and constitutional foundations of government by, of and for a free people; and

WHEREAS, The United States Junior Chamber of Commerce has undertaken to sponsor a more adequate and comprehensive observance of Independence Day, with particular emphasis upon those freedoms which are most pertinent to a modern industrialized economy—the freedoms of Religion, of Speech, of the Press, of Opportunity and of Self-Government; and

WHEREAS, It is fitting and proper that the several States co-operate in this work of civic improvement, in accordance with the request of the sponsors, by designating Independence Week, with certain days to be dedicated to these freedoms,

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim and urge the people of New Jersey to observe, by appropriate activities and ceremonies, the period of

JUNE 30 TO JULY 4, 1947,

as

INDEPENDENCE WEEK,

with the respective days thereof being dedicated as follows:

Monday, June 30—Freedom of Speech;
Tuesday, July 1—Freedom of the Press;
Wednesday, July 2—Freedom of Religion;
Thursday, July 3—Freedom of Opportunity;
Friday, July 4—Freedom of Self-Government.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
twenty-sixth day of June, in the year of
Our Lord one thousand nine hundred
and forty-seven, and in the Independ-

ence of the United States, the one hundred and seventy-first.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, July 6, 1947 will be the two hundredth anniversary of the birth of John Paul Jones, whose standards of leadership and heroism have become legendary in the history of the American Navy; and

WHEREAS, The vigor and spirit with which Captain Jones carried our national Flag in a Continental Navy, with only thirty-four vessels in commission, have ever remained an inspiration of gallantry in action epitomized by his classic battle phrase, "I have not yet begun to fight;" and

WHEREAS, The career of John Paul Jones and his devotion to his ship symbolize the character of service to our Navy, our Flag and our Nation which has helped to make this country the world's outstanding sea power;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

SUNDAY, JULY 6, 1947,

as

JOHN PAUL JONES DAY,

to commemorate the bicentennial of the birth of Captain Jones, and I urge the people of the State of New Jersey to observe that day in his honor.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
third day of July, in the year of Our
Lord one thousand nine hundred and
forty-seven, and in the Independence of
the United States, the one hundred and
seventy-first.

ALFRED E. DRISCOLL,

Governor.

By the Governor:

LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The President of the United States has proclaimed August 1 as Air Force Day to honor the millions of men and women, living and dead, whose contributions to the growth of American air power make the Army Air Forces this country's most far-reaching weapon of defense; and

WHEREAS, The Army Air Forces is receiving an increasingly important role in maintaining, through constant research and development of aircraft and adequate trained personnel, the defense of this nation; in supporting the United Nations with adequate and effective air contingents; in avoiding

the cost of war by insuring peace; and in providing, in the event of war, a nucleus of highly trained personnel, the basis for all-out expansion of war, and

WHEREAS, A grateful nation recognizes the importance of air power in preserving our liberties and appreciates the potentialities of air power in pioneering an even more glorious future for our country;

NOW, THEREFORE, I, CHARLES K. BARTON, Acting Governor of the State of New Jersey, in order that we may honor the men and women of the Army Air Forces who have given their lives in the defense of this country, and recognize the services of those who in the armed forces or in the civilian centers of science, research and production have contributed to the building of our air might, do hereby proclaim

FRIDAY, AUGUST 1, 1947,

as

AIR FORCE DAY,

I urge all citizens to join in the observance of this, the fortieth birthday of the Army Air Forces, with ceremonies appropriately expressing their gratitude for its glorious past and their hopes for its future continued growth and development.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
fifteenth day of July, in the year of
Our Lord one thousand nine hundred
and forty-seven, and in the Independ-
ence of the United States, the one hun-
dred and seventy-second.

CHARLES K. BARTON,
Acting Governor.

By the Acting Governor:
LLOYD B. MARSH,
Secretary of State.

Statements of Results
of
Municipal Elections

(1401)

Statements of Results of Municipal Elections

At a Special Election held in the Borough of Beach Haven, Ocean County, on November 5, 1946, for the adoption or rejection of 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 was adopted and a certified copy of the result was filed in the office of the Secretary of State, November 27, 1946.

At a Special Election held in the Borough of West Wildwood, Cape May County on March 25, 1947, for the adoption or rejection of 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 was defeated and a certified copy of the result was filed in the office of the Secretary of State, March 28, 1947.

At a Special Election held in the Borough of Seaside Park, Ocean County on April 29, 1947, for the adoption or rejection of 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 was defeated and a certified copy of the result was filed in the office of the Secretary of State, May 2, 1947.

Change of Corporate Title of
Municipalities

(1405)

Change of Corporate Title of Municipalities

The corporate title of "The Inhabitants of the Borough of Washington in the County of Warren" was changed to "The Borough of Washington." Filed April 14, 1947.

Cumulative Table of Contents
OF
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TO NEW JERSEY LAWS OF 1942 (1938-1942 CHAPTER 280)

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CUMULATIVE TABLE OF CONTENTS
OF
NEW JERSEY LAWS OF 1942 (CHAPTERS 281 TO END),
1943, 1944, 1945, 1946 and 1947
GENERAL AND PERMANENT LEGISLATION

The following Table of Contents with the Schedules annexed have been prepared and printed pursuant to chapter 379 of the laws of 1939 to indicate changes made in the general and permanent statute law subsequent to the enactment of chapter 280 of the laws of 1942.

Changes made in the general and permanent statute law from the enactment of the Revised Statutes (1937) through chapter 280 of the laws of 1942 are to be found in the Cumulative Table of Contents contained in the Pamphlet Laws of 1942 at page 875, etc.

The classification used is that of the Revised Statutes amplified so as to include material for which no adequate classification units appear in the Revised Statutes. In all cases in which new chapter or other subdivision headings or new section numbers are set up they are designated in the Table as "Added" or "New." Where a chapter or other subdivision heading or section number is designated as "Added" it has been set up in the statute classified under it. Where a chapter or other subdivision heading is designated as "New" it has been set up and a number assigned, for convenience in classification, by the Law Revision and Bill Drafting Commission (formerly Commission on Statutes). The use of such designations or numbers alone, whether they are designated as "Added" or "New," in citation or in legislation is not sufficiently descriptive to indicate where the material is to be found in the Pamphlet Laws and, when so used, such designations should be amplified by adding the year and chapter numbers of the material intended to be referred to.

Acknowledgment is made to Charles DeF. Besoré, Esq., for the use of the arrangement of his "Table of Contents, etc., of 1938," which forms the basis of the arrangement of this Table of Contents.

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R. S. 3:8-11	amended 1945, c. 113, s. 1.
R. S. 3:8-12	" 1945, c. 113, s. 2.
R. S. 3:8-15	" 1945, c. 113, s. 3.

Additional Legislation.

Discharge of sureties and cancellation of bonds, in certain cases, provided for, 1944, c. 181.

Chapter 10. ACCOUNTING.

R. S. 3:10-18	amended 1947, c. 398.
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Chapter 16. INVESTMENTS.

Note: For Port Authority bonds issued for establishment, etc., of motor truck terminals, legal investments, see 1945, c. 197; for International Bank for Reconstruction and Development, obligations of, made legal investments for certain financial institutions, fiduciaries and others, see 1947, c. 308.

R. S. 3:16-1	amended 1945, c. 194.
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Additional Legislation.

Investments in United States Savings Bonds and Treasury Savings Certificates held by fiduciaries; status of increases in redemption values as to income and principal, 1942, c. 287.

Securities, registration and holding in name of nominee, authorized, in certain cases, 1944, c. 114.

Establishment and maintenance of common trust funds by certain corporate fiduciaries, authorized, suppl., 1945, c. 190.

Payment of premiums, brokers' commissions, etc., by fiduciaries investing in real estate mortgages, in certain cases, authorized, 1947, c. 306.

**Chapter 17. SALE OR OTHER DISPOSITION OF REAL ESTATE
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Additional Legislation.

Abandonment of real property by fiduciaries, in certain cases,
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**Chapter 25. CREDITORS OF DECEDENTS; THEIR RIGHTS
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Article 5. Liability of Real Estate for Debts; Methods of Enforcement.

Note: For sales of real estate subject to escheat to pay debts of decedents,
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R. S. 3:25-21 amended 1944, c. 130.

Article 6. Sale of Real Estate for Debts Where Personalty Insufficient.

Note: For sales of real estate subject to escheat to pay debts of decedents,
provided for, procedure, etc., see 1946, c. 283.

Article 7. Insolvent Estates.

Note: For sales of real estate subject to escheat to pay debts of decedents,
provided for, procedure, etc., see 1946, c. 283.

Article 7A. (new) Sale of Real Estate, Subject to Escheat, to Pay Debts.

Additional Legislation.

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provided for, procedure, etc., 1946, c. 283.

Chapter 26. DEVISES, LEGACIES AND DISTRIBUTIVE SHARES.

R. S. 3:26-1 amended 1943, c. 82.

R. S. 3:26-2 " 1943, c. 84.

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Chapter 32. HOSPITALIZATION.

R. S. 3:32-1 amended 1947, c. 409.

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Note: For escheat of unclaimed bank deposits, see 1945, c. 199, amended
1946, c. 78, 1947, c. 91.

**Chapter 42A. (new) ABSENTEES IN ARMED FORCES OR
MERCHANT MARINE.**

Conservator for property of person serving in or with armed
forces, appointment, powers, etc., 1944, c. 242.

Sec. 1 of above amended 1945, c. 293.

Title 4. AGRICULTURE AND DOMESTIC ANIMALS.**Chapter 1. DEPARTMENT OF AGRICULTURE.**

- R. S. 4:1-4 amended 1944, c. 202, s. 1.
R. S. 4:1-5 " 1944, c. 202, s. 2.
R. S. 4:1-6 " 1945, c. 98.
R. S. 4:1-7 " 1944, c. 202, s. 3.
R. S. 4:1-8 " 1944, c. 202, s. 4.
R. S. 4:1-9 " 1944, c. 202, s. 5.
R. S. 4:1-13 " 1944, c. 202, s. 6.
R. S. 4:1-15 " 1944, c. 202, s. 7.
R. S. 4:1-17 " 1945, c. 204, s. 1.

Additional Legislation.

Awards to schools for participation in farm labor, 1943, c. 214.

Chapter 2. BREEDING OF LIVE STOCK.

- R. S. 4:2-1 repealed 1946, c. 72.
to 4:2-14

Chapter 5. DISEASES OF ANIMALS AND POULTRY.**Article 1. Contagious and Infectious Diseases in General.****B. CONTROL AND ERADICATION IN GENERAL.**

- R. S. 4:5-4 amended 1946, c. 247, s. 1.
R. S. 4:5-5 " 1946, c. 247, s. 2.
R. S. 4:5-6 " 1946, c. 247, s. 3.
R. S. 4:5-7 " 1946, c. 247, s. 4.
R. S. 4:5-8 " 1946, c. 247, s. 5.
R. S. 4:5-9 " 1946, c. 247, s. 6.
R. S. 4:5-10 " 1946, c. 247, s. 7.

Article 2. Bovine Tuberculosis.**A. DEFINITIONS.**

- R. S. 4:5-18 amended 1946, c. 247, s. 8.

B. GENERAL PROVISIONS.

R. S. 4:5-19	amended 1946, c. 247, s. 9.
R. S. 4:5-20	" 1946, c. 247, s. 10.
R. S. 4:5-21	" 1946, c. 247, s. 11.
R. S. 4:5-22	" 1946, c. 247, s. 12.
R. S. 4:5-23	" 1946, c. 247, s. 13.
R. S. 4:5-28	" 1946, c. 247, s. 14; 1947, c. 207, s. 1.
R. S. 4:5-29	" 1946, c. 247, s. 15.

C. TESTING UNDER AREA AND OTHER PLANS.

R. S. 4:5-34	amended 1946, c. 247, s. 16.
R. S. 4:5-44	" 1946, c. 247, s. 17.
R. S. 4:5-46	" 1946, c. 247, s. 18.

Additional Legislation.

Conduct of tuberculin tests; quarantines and disinfecting, etc., services, provided for, suppl., 1945, c. 204, ss. 2-4.

C. 1. (new) CATTLE CONSIGNED TO AUCTION MARKETS.

Additional Legislation.

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R. S. 4:5-54	amended 1946, c. 247, s. 19; 1947, c. 207, s. 2.
R. S. 4:5-58	" 1946, c. 247, s. 20; 1947, c. 207, s. 3.
R. S. 4:5-59	" 1947, c. 207, s. 4.
R. S. 4:5-61	" 1946, c. 247, s. 21; 1947, c. 207, s. 5.
R. S. 4:5-65	" 1946, c. 247, s. 22.
R. S. 4:5-69	" 1946, c. 247, s. 23.
R. S. 4:5-71	" 1946, c. 247, s. 25.
R. S. 4:5-72	" 1946, c. 247, s. 26; 1947, c. 207, s. 6.

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R. S. 4:5-76 to 4:5-93	repealed 1946, c. 257, s. 25.
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Bang's disease, compensation to owners of diseased cattle, certain cases, regulation of local areas, 1940, c. 231, repealed 1946, c. 257, s. 26.

Bang's disease or Brucellosis, control of, etc., provided for, suppl., 1946, c. 257.

Chapter 9. FERTILIZERS AND OTHER PREPARATIONS FOR SOILS.**Article 4. (new) Horse Manure.****Additional Legislation.**

Sale, etc., of unmanufactured horse manure, regulated, 1944, c. 43.

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R. S. 4:12-1 amended 1945, c. 295, s. 1.

R. S. 4:12-19 " 1945, c. 295, s. 2.

R. S. 4:12-20 repealed 1943, c. 100, s. 23.
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R. S. 4:14-2 amended 1946, c. 108.

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Note: For consolidation with State University of New Jersey, see 1945, c. 49.

Article 1. Organization and Operation of Station.

R. S. 4:16-2 repealed 1945, c. 235, ss. 2, 1.
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Farm labor, recruiting and placement, provided for, 1943, c. 106.

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Sec. 18 of above amended 1946, c. 170.

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1947, c. 107, s. 1.

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Sec. 6 of above amended 1946, c. 15, s. 1.

Sec. 7 " " " 1946, c. 15, s. 2.

Chapter 2. UNIFORM AERONAUTICS LAW.

R. S. 6:2-7 amended 1946, c. 237.

Chapter 3. (new) FEDERAL AID FOR AIRPORTS.

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- R. S. 8:2-23 amended 1947, c. 236, s. 1.
R. S. 8:2-24 “ 1947, c. 236, s. 2.
R. S. 8:2-35 “ 1943, c. 36.

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Note: For commitment of minors to Diagnostic Centers, see 1946, c. 118, amended 1947, c. 238; for contracts, obligations, pledges, mortgages and conveyances, made by minors over eighteen years of age in connection with certain veterans' loans made valid and enforceable, see 1946, c. 134, amended 1947, c. 189.

Subtitle 1. PARENTAL RELATIONSHIP AND CARE, CUSTODY, GUARDIANSHIP AND SUPPORT OF CHILDREN IN GENERAL.

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| R. S. 9:3-4 | “ 1944, c. 239, s. 2. |
| R. S. 9:3-9 | “ 1943, c. 104. |

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| R. S. 9:6-4 | “ 1944, c. 196, s. 2. |

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Note: For commitment, etc., of minors to Diagnostic Centers provided for, see 1946, c. 118, amended 1947, c. 238.

R. S. 9:18-5	amended 1945, c. 291.
R. S. 9:18-12	" 1943, c. 97; 1946, c. 77, s. 1.
R. S. 9:18-14	" 1946, c. 77, s. 2.
R. S. 9:18-18	" 1946, c. 77, s. 3.
R. S. 9:18-25	" 1947, c. 213, ss. 1, 2.
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R. S. 10:1-3	amended 1945, c. 168, s. 1.
R. S. 10:1-6	" 1945, c. 168, s. 2.
R. S. 10:1-8	" 1945, c. 168, s. 3.

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Discrimination, on account of race, creed or color, against persons to be employed on war or defense work, prohibited, 1942, c. 114.

Preamble of above amended 1945, c. 174, s. 1.

Sec. 1 " " " 1945, c. 174, s. 2.

Sec. 2 " " " 1945, c. 174, s. 3.

Chapter 2. EMPLOYMENT ON PUBLIC WORKS.

R. S. 10:2-1	amended 1945, c. 171.
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Note: For certain discriminatory practices in employment and otherwise, prohibited and Division Against Discrimination in the State Department of Education, established, see 1945, c. 169, amended 1947, c. 155; for delay in qualifying of members of police and fire departments by reason of military service not to affect rights, benefits, etc., see 1946, c. 87; for supervision of Civil Service Commission over apprentice and on the job training programs for veterans, provided for, see 1946, c. 162.

Subtitle 1. CIVIL SERVICE COMMISSION.**Chapter 1. THE COMMISSION.**

- R. S. 11:1-1 amended 1944, c. 65, s. 1.
 R. S. 11:1-2 " 1944, c. 65, s. 2.
 R. S. 11:1-6 " 1944, c. 65, s. 3.
 R. S. 11:1-9 " 1944, c. 65, s. 4.

Chapter 2. THE CHIEF EXAMINER AND SECRETARY.

- R. S. 11:2-1 amended 1944, c. 65, s. 5.
 R. S. 11:2-3 " 1944, c. 65, s. 6.
 R. S. 11:2-4 repealed 1944, c. 65, s. 7.
 R. S. 11:2-5 amended 1944, c. 65, s. 8.
 R. S. 11:2-6 " 1944, c. 65, s. 9.

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Sec. 1 of above amended 1946, c. 184.

Subtitle 2. STATE SERVICE.**Chapter 4. PURPOSE, CONSTRUCTION AND APPLICATION OF SUBTITLE.**

- R. S. 11:4-5 **Note:** 1913, c. 139 and 1918, c. 234 repealed, 1944, c. 20, s. 20.

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R. S. 11:5-1 amended 1944, c. 65, s. 10.

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R. S. 11:6-2 amended 1947, c. 201, s. 1.

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Note: For provision for discontinuance, etc., of competitive examinations, see 1944, c. 64, amended 1945, c. 15, 1946, c. 156.

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Sec. 1 of above amended 1947, c. 123.

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R. S. 11:12-1 amended 1946, c. 228, s. 1.

R. S. 11:12-2 " 1946, c. 228, s. 2.

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1946, c. 184.

Chapter 16. CERTIFICATION OF PAYROLLS.

R. S. 11:16-1 amended 1947, c. 201, s. 5.

Subtitle 3. COUNTIES, MUNICIPALITIES AND SCHOOL DISTRICTS.

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R. S. 11:20-1 amended 1947, c. 28.

Chapter 20A. (new) EMPLOYEES SUBJECT TO CIVIL SERVICE WITHOUT ADOPTION OF SUBTITLE.

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R. S. 11:22-2 amended 1946, c. 34.

R. S. 11:22-20 " 1947, c. 200.

Additional Legislation.

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Sec. 1 of above amended 1946, c. 156, s. 1.

Sec. 2 " " " 1946, c. 156, s. 2.

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Chapter 24A. (new) HOURS OF WORK, ATTENDANCE AND LEAVES OF ABSENCE.

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Sec. 3 of above amended 1943, c. 200.

Leaves of absence without pay, granting of, etc., provided for, suppl., 1946, c. 148.

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R. S. 11:27-1 amended 1946, c. 227, s. 1; 1947, c. 63.

R. S. 11:27-2 repealed 1946, c. 227, s. 2.

R. S. 11:27-3 amended 1946, c. 227, s. 3.

R. S. 11:27-4 " 1946, c. 227, s. 4.

R. S. 11:27-5 " 1946, c. 227, s. 5.

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- R. S. 12:2-1 repealed 1945, c. 22, s. 44.
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- R. S. 12:2-16 " 1945, c. 22, s. 44.

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- R. S. 12:4-7 amended 1947, c. 37.

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- R. S. 12:6-17 repealed 1946, c. 314.
- R. S. 12:6-18 " 1946, c. 314.

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Sec. 1 of above amended 1946, c. 258, s. 1.

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R. S. 13:1-1 repealed 1945, c. 22, s. 44.

R. S. 13:1-2 " 1945, c. 22, s. 44.

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- R. S. 15:1-2 amended 1946, c. 288, s. 1.
- R. S. 15:1-5 " 1946, c. 288, s. 2.
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- R. S. 15:8-4 amended 1947, c. 293.

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R. S. 18:5-53 amended 1947, c. 148, s. 4.

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R. S. 18:7-5 amended 1947, c. 135, s. 1.
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- R. S. 18:7-27 amended 1947, c. 148, s. 11.
- R. S. 18:7-28 " 1947, c. 148, s. 12.
- R. S. 18:7-29 repealed 1947, c. 148, s. 13.
- R. S. 18:7-35 amended 1947, c. 2; 1947, c. 145.

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- R. S. 18:7-68 amended 1947, c. 148, s. 14.
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- R. S. 18:7-77 repealed 1947, c. 148, s. 17.

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- R. S. 18:7-88 repealed 1947, c. 152.
- R. S. 18:7-94 amended 1942, c. 319.

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- R. S. 18:7-100 amended 1947, c. 148, s. 18.

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- R. S. 18:7-112 amended 1943, c. 201, s. 5.
- R. S. 18:7-113 " 1943, c. 201, s. 6.
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- R. S. 18:10-15 amended 1946, c. 88, ss. 1, 12.
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- R. S. 18:10-18 amended 1945, c. 164, s. 1; repealed 1946, c. 88, ss. 11, 12.
 R. S. 18:10-19 repealed 1946, c. 88, ss. 11, 12.
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 R. S. 18:10-22 " 1946, c. 88, ss. 10, 12.
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 R. S. 18:10-29, 1933, c. 155 repealed 1946, c. 88, ss. 10, 12.
 1934, c. 14 " 1946, c. 88, ss. 10, 12.
 1934, c. 183 " 1946, c. 88, ss. 10, 12.

Additional Legislation.

Annual State appropriations for schools and distribution and apportionment thereof, provided for, suppl., 1943, c. 181; repealed 1946, c. 88, ss. 10, 12.

Article 2A. (new) State Public School Account.**Additional Legislation.**

State Public School Account, constitution and distribution as State aid for schools, suppl., 1946, c. 63.

Article 3. Tax on Railroad and Canal Property.

- R. S. 18:10-31 amended 1943, c. 177.
 R. S. 18:10-33 " 1946, c. 88, ss. 3, 12.
 R. S. 18:10-34 repealed 1946, c. 88, ss. 10, 12.
 R. S. 18:10-35 amended 1946, c. 88, ss. 4, 12.
 R. S. 18:10-37 repealed 1946, c. 88, ss. 10, 12.
 R. S. 18:10-38 " 1946, c. 88, ss. 10, 12.

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Article 4. Interest of Surplus Revenue of Counties.

R. S. 18:10-39 amended 1946, c. 88, ss. 5, 12.

Article 5. Apportionment to Districts of State School Moneys and Interest of Surplus Revenue.

R. S. 18:10-40 repealed 1946, c. 88, ss. 10, 12.
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R. S. 18:10-46 “ 1946, c. 88, ss. 10, 12.

R. S. 18:10-47 “ 1946, c. 88, ss. 10, 12.

Additional Legislation.

Apportionment of State school moneys for first year of regional school districts, suppl., 1939, c. 58, repealed 1946, c. 88, ss. 10, 12.

Article 6. Other State Moneys and Appropriations.

R. S. 18:10-49 amended 1946, c. 88, ss. 6, 12.

Chapter 11. SCHOOLHOUSES, FACILITIES AND ACCOMMODATIONS.

R. S. 18:11-2 amended 1946, c. 88, ss. 7, 12.

R. S. 18:11-14 “ 1947, c. 148, s. 19.

Chapter 12. TEXTBOOKS AND SUPPLIES; LIBRARIES.

R. S. 18:12-3 amended 1947, c. 136.

Chapter 13. TEACHERS.

Note: For leave of absence for school employees for military service, see 1941, c. 119, amended 1942, c. 327; for requirement of teachers' certificates in certain schools under management of Department, Institutions and Agencies, see 1946, c. 100.

Article 1. Boards of Examiners.

R. S. 18:13-1 amended 1947, c. 144.

Article 2. Employment, Tenure, Resignation, and Dismissal of Teachers and Principals.

Note: For tenure of office, etc., re-employment and pension rights of employees in war service, see 1943, c. 187; 1944, c. 226.

R. S. 18:13-9.2 amended 1947, c. 148, s. 20.

R. S. 18:13-9.3 “ 1947, c. 148, s. 21.

R. S. 18:13-13 “ 1944, c. 180; 1947, c. 131, ss. 1, 2.

R. S. 18:13-22 repealed 1946, c. 88, ss. 10, 12.

Additional Legislation.

Equality of compensation between male and female teachers,
provided for, suppl., 1942, c. 256.

Sec. 1 of above amended 1945, c. 42.

Article 3. Pension and Annuity Fund.

Note: For pension rights of employees in war service, see 1943, c. 187;
1944, c. 226.

A. PREAMBLE AND DEFINITIONS.

R. S. 18:13-25 amended 1944, c. 146, s. 1; 1946, c. 145, s. 2.

**C. BOARD OF TRUSTEES; ANNUAL CONVENTION OF
RETIREMENT SYSTEM.**

R. S. 18:13-30 amended 1945, c. 21.

R. S. 18:13-31 " 1946, c. 210.

D. MEMBERSHIP.

R. S. 18:13-39 amended 1944, c. 185, s. 1.

R. S. 18:13-41 " 1944, c. 185, s. 2; 1947, c. 245, s. 1.

E. SERVICE CREDITABLE.

R. S. 18:13-43 amended 1946, c. 145, s. 3.

R. S. 18:13-48 " 1945, c. 57.

R. S. 18:13-49 " 1946, c. 145, s. 5.

Additional Legislation.

Former members, requirements and privileges upon rejoining
system, suppl., 1946, c. 145, ss. 4, 15.

F. SUPERANNUATION RETIREMENT.

R. S. 18:13-52 amended 1943, c. 179; 1945, c. 299, s. 1; 1946, c. 145,
s. 6; 1946, c. 153, s. 1.

R. S. 18:13-55 " 1946, c. 153, s. 2.

G. DISABILITY RETIREMENT.

R. S. 18:13-57 amended 1946, c. 145, s. 7.

R. S. 18:13-59 " 1946, c. 153, s. 3; 1947, c. 346.

L. FUNDS CREATED.

R. S. 18:13-72 amended 1946, c. 145, s. 8.

M. FUNDS DERIVED FROM MEMBERS' CONTRIBUTIONS.

R. S. 18:13-77 amended 1945, c. 299, s. 2; 1946, c. 153, s. 4.

R. S. 18:13-78 " 1944, c. 146, s. 2; 1946, c. 145, s. 9.

Additional Legislation.

Periodic adjustment of deductions and annuities, provided for,
suppl., 1946, c. 235.

Additional contribution to fund by certain members, provided
for, suppl., 1946, c. 270.

Special Reserve Fund, defined, etc., suppl., 1946, c. 145, ss. 11, 15.

Terminated interest accrual resumed upon return of member
to active service upon compliance with certain conditions,
suppl., 1947, c. 245, s. 2.

N. FUNDS DERIVED FROM CONTRIBUTIONS FROM SCHOOL
APPORTIONMENT FUND.

R. S. 18:13-90 amended 1946, c. 145, s. 10.

O. COLLECTION OF MEMBERS' CONTRIBUTIONS.

R. S. 18:13-94 amended 1944, c. 113, s. 1; 1946, c. 145, s. 12.

R. S. 18:13-95 " 1944, c. 113, s. 2.

Q. ADMINISTRATION.

R. S. 18:13-102 see 1947, c. 308.

R. S. 18:13-105 amended 1946, c. 145, s. 13.

R. S. 18:13-106 " 1943, c. 180.

Additional Legislation.

Advisory Committee, constitution, etc., provided for, suppl.,
1946, c. 145, ss. 14, 15.

Article 5. Teachers' Institutes and Conventions.

R. S. 18:13-119 repealed 1946, c. 88, ss. 10, 12.

Chapter 14. PUPILS AND CONDUCT OF SCHOOLS IN GENERAL.

Article 1. Admission and Attendance of Pupils in General.

R. S. 18:14-1 amended 1947, c. 138.

R. S. 18:14-2 " 1945, c. 172.

R. S. 18:14-7 " 1944, c. 210.

Additional Legislation.

Free education to children of non-resident farm laborers, suppl., 1943, c. 91.

Sec. 2 of above repealed 1946, c. 88, ss. 10, 12.

Instruction beyond twelfth grade, charge of tuition fees for, furnishing in another district, provided for, suppl., 1946, c. 296.

Evening high school courses, payment of tuition for in another district, provided for, suppl., 1946, c. 213.

Article 2. Compulsory Education.

Note: For employment and age certificates, issuance, etc., see 1940, c. 153, amended 1941, c. 139; for State Commission on Student Service established, powers, etc., see 1942, c. 23, amended 1943, c. 44, 1943, c. 195; for county attendance officers, membership in State Employees' Retirement System, provided for, see 1946, c. 191.

R. S. 18:14-45 repealed 1947, c. 148, s. 22.

R. S. 18:14-46 " 1946, c. 88, ss. 10, 12.

R. S. 18:14-47 amended 1944, c. 106.

R. S. 18:14-48 " 1946, c. 88, ss. 8, 12; see 1946, c. 191.

Article 4. Promotion of Health and Prevention of Disease.

R. S. 18:14-56 amended 1947, c. 148, s. 23.

R. S. 18:14-65 " 1947, c. 148, s. 24.

Additional Legislation.

School nurses, certificates by State Board of Examiners required, fees, prior appointees unaffected, suppl., 1947, c. 133.

Article 7. Conduct of Schools.

A. IN GENERAL.

R. S. 18:14-80 amended 1944, c. 212.

R. S. 18:14-82 " 1943, c. 212; 1944, c. 107.

Additional Legislation.

Courses in United States history, prescribed, suppl., 1945, c. 261.

Commodore John Barry Day established, school observance required, 1947, c. 109.

B1. (new) ACCIDENT INSURANCE FOR PUPILS.

Additional Legislation.

Accident insurance for pupils engaging in athletic contests and physical education programs, Boards of Education authorized to maintain, suppl., 1947, c. 130.

Article 8. County Supervisor of Child Study.

R. S. 18:14-113 amended 1946, c. 88, ss. 9, 12.

Chapter 14A. (new) SPECIAL SCHOOLS AND COURSES GENERALLY.

Veterans education and training programs, establishment and maintenance, provided for, 1946, c. 64.

Sec. 6 of above amended 1947, c. 141, s. 1.

Sec. 17 " " " 1947, c. 141, s. 2.

Chapter 15. SPECIAL SCHOOLS AND COURSES IN SCHOOL DISTRICTS OR IN COUNTIES.

Article 1A. (new) Nursery Schools and Nursery Classes.

Additional Legislation.

Nursery school and nursery departments in school districts, provided for, suppl., 1943, c. 172.

Article 2. Intermediate Schools.

R. S. 18:15-4 amended 1947, c. 148, s. 25.

R. S. 18:15-5 " 1947, c. 148, s. 26.

Article 5. Vocational Schools.

R. S. 18:15-46 amended 1946, c. 99.

Article 6. Continuation Schools.

R. S. 18:15-59 repealed 1947, c. 148, s. 27.
to 18:15-80

Article 8. Public Evening Schools.

R. S. 18:15-94 amended 1947, c. 148, s. 28.

Article 10. Classes for Foreign-Born Residents.

R. S. 18:15-104 repealed 1946, c. 88, ss. 10, 12.

R. S. 18:15-105 " 1946, c. 88, ss. 10, 12.

Chapter 16. PARTICULAR STATE SCHOOLS.

Note: For requirement of teachers' certificates in certain schools under management of Department, Institutions and Agencies, see 1946, c. 100.

Article 1. School for the Deaf.

R. S. 18:16-2 amended 1947, c. 148, s. 29.

Article 2. Manual Training and Industrial School for Colored Youth.

R. S. 18:16-8 amended 1947, c. 148, s. 30.

Article 3. Teachers' Training Schools and Courses.

R. S. 18:16-20 amended 1947, c. 148, s. 31.

R. S. 18:16-27 repealed 1944, c. 140, s. 2.

R. S. 18:16-29 amended 1947, c. 148, s. 32.

Additional Legislation.

Work for needy students provided for in lieu of loans for tuition in normal schools and teachers' colleges, 1944, c. 140, s. 1.

Article 4. (new) Tenure in Office, Position or Employment.

Additional Legislation.

Tenure of certain persons employed in teaching capacities, supervisors, registrars, etc., in certain State educational institutions, provided for, suppl., 1946, c. 124.

Chapter 20. LAWS AFFECTING PRIVATE SCHOOLS AND COLLEGES.

R. S. 18:20-1 amended 1946, c. 289.

R. S. 18:20-4 repealed 1947, c. 262, s. 22.

Additional Legislation.

Private trade and technical schools, registration, approval examination, control, etc., by Commissioner of Education, suppl., 1942, c. 113.

Sec. 1 of above amended 1942, c. 323.

Chapter 20A. (new) CHILD CARE CENTERS.

Private child care centers, registration and regulation of, provided for, suppl., 1946, c. 303, ss. 1-9, 12.

Chapter 21. CERTIFICATES OF PRELIMINARY ACADEMIC EDUCATION.

R. S. 18:21-1 amended 1946, c. 243.

Chapter 22. PUBLIC HIGHER EDUCATION.

Article 1. State Board of Regents.

R. S. 18:22-1 repealed 1945, c. 51, s. 15.
to 18:22-14

Article 1A. (new) Public Higher Education In General.

Additional Legislation.

Disbursement of State moneys to denominational (religious),
etc., institutions, prohibited, suppl., 1945, c. 51, s. 4.

**Article 2. Rutgers University (State Agricultural College; Rutgers
Scientific School).**

A. DESIGNATION.

Additional Legislation.

State University of New Jersey; designation of State College
for Benefit of Agriculture and Mechanics Arts, Agricultural
Experiment Station, New Jersey Agricultural
Experiment Station, New Jersey College for Women and
certain departments, Rutgers College, as; management
and use of facilities for public higher education, and
membership by employees in State Employees' Retirement
System, provided for, 1945, c. 49.

State University of New Jersey, incorporation of University of
Newark into, provided for, 1946, c. 217.

The Paterson College of Rutgers University, established as a
division of The State University, 1947, c. 139.

Integration of facilities and buildings of State Teachers Colleges
and The State University, Commissioner of Education
authorized to provide for, 1947, c. 140.

B. FEDERAL AID.

R. S. 18:22-23 repealed 1945, c. 212, ss. 2, 1.

R. S. 18:22-24 " 1945, c. 212, ss. 2, 1.

R. S. 18:22-25 " 1945, c. 212, ss. 2, 1.

J. (new) INSTITUTE OF MANAGEMENT AND LABOR.

Additional Legislation.

Institute of Management and Labor Relations, in State
University, provided for, 1947, c. 307.

Chapter 23. STATE PUBLIC SCHOOL FUND AND FEDERAL FUNDS.

R. S. 18:23-1 repealed 1946, c. 88, ss. 10, 12.
to 18:23-18

Chapter 24. (new) DIVISION OF THE STATE LIBRARY, ARCHIVES AND HISTORY AND DIVISION OF THE STATE MUSEUM.

Division of the State Library, Archives and History and Division of the State Museum, established; functions, powers, duties, etc., provided for, 1945, c. 50.

Sec. 10 of above amended 1945, c. 215.

Chapter 25. (new) LAW AGAINST DISCRIMINATION.

Division Against Discrimination in State Department of Education, established; functions, powers and duties provided for, and certain discriminatory practices prohibited, suppl., 1945, c. 169, ss. 1-27.

Sec. 8 of above amended 1947, c. 155, s. 1.

Sec. 8A " " repealed 1947, c. 155, s. 2.

Title 19. ELECTIONS.

Subtitle 1. ANY ELECTION.

Chapter 1. DEFINITIONS AND APPLICATION.

R. S. 19:1-1 amended 1947, c. 168, s. 1.

Chapter 2. TIME FOR HOLDING.

R. S. 19:2-1 amended 1946, c. 11, s. 1.

R. S. 19:2-2 repealed 1946, c. 11, s. 16.

Additional Legislation.

Holding of primaries for general election in May, war time,
provided for, suppl., 1944, c. 141; repealed 1945, c. 7, s. 21.

Date and time for holding primary elections for general elec-
tions, fixed during war time, 1945, c. 7, s. 1; amended 1946,
c. 10, s. 1.

Chapter 3. OFFICES AND PUBLIC QUESTIONS.

R. S. 19:3-3 amended 1946, c. 11, s. 2.

Chapter 4. THE ELECTORATE.

R. S. 19:4-6 see 1945, c. 7, s. 12 (amended 1946, c. 10, s. 3).

Chapter 5. PARTY ORGANIZATIONS.

R. S. 19:5-3 amended 1946, c. 11, s. 3; see 1945, c. 7, s. 9.

R. S. 19:5-5 see 1946, c. 152.

Chapter 6. ELECTION OFFICIALS.

R. S. 19:6-10 amended 1946, c. 11, s. 4.

Chapter 8. POLLING PLACES; BALLOT BOXES; EQUIPMENT.

R. S. 19:8-2 amended 1946, c. 11, s. 5.

R. S. 19:8-4 " 1946, c. 11, s. 6.

Chapter 9. ELECTION SUPPLIES.

R. S. 19:9-2 amended 1946, c. 11, s. 7; 1947, c. 168, s. 2; see 1945,
c. 7, s. 8.

Subtitle 2. GENERAL ELECTIONS.**Chapter 12. CERTIFICATES AND NOTICES.**

R. S. 19:12-1	amended 1946, c. 11, s. 8; see 1945, c. 7, s. 6.
R. S. 19:12-2	" 1946, c. 11, s. 9; see 1945, c. 7, s. 6.
R. S. 19:12-3	" 1946, c. 11, s. 10; see 1945, c. 7, s. 10.
R. S. 19:12-5	" 1946, c. 11, s. 11; see 1945, c. 7, s. 10.
R. S. 19:12-6	" 1946, c. 11, s. 12; see 1945, c. 7, s. 11.
R. S. 19:12-7	" 1945, c. 184.

Chapter 13. NOMINATION OF CANDIDATES

R. S. 19:13-10	see 1945, c. 7, s. 13 (amended 1946, c. 10, s. 4).
R. S. 19:13-11	" 1945, c. 7, s. 13 (amended 1946, c. 10, s. 4).
R. S. 19:13-12	" 1945, c. 7, s. 14 (amended 1946, c. 10, s. 5).
R. S. 19:13-13	" 1945, c. 7, s. 16 (amended 1946, c. 10, s. 7).
R. S. 19:13-15	amended 1944, c. 157.
R. S. 19:13-20	" 1945, c. 263.

Chapter 14. BALLOTS.

R. S. 19:14-4	amended 1947, c. 104, s. 1.
R. S. 19:14-6	" 1947, c. 104, s. 2.
R. S. 19:14-11	repealed 1947, c. 104, s. 9.
R. S. 19:14-14	amended 1947, c. 104, s. 3.
R. S. 19:14-17	repealed 1947, c. 104, s. 9.
R. S. 19:14-21	amended 1946, c. 261, s. 1; 1947, c. 168, s. 3.
R. S. 19:14-23	" 1947, c. 168, s. 4.
R. S. 19:14-25	" 1946, c. 261, s. 2; 1947, c. 168, s. 5.
R. S. 19:14-27	" 1947, c. 53.

Additional Legislation.

Use of names of candidates for President and Vice-President instead of those of Presidential Electors, provided for, suppl., 1944, c. 16.

Chapter 15. BALLOTING.

- R. S. 19:15-7 repealed 1944, c. 230, s. 4.
R. S. 19:15-13 " 1944, c. 230, s. 4.
to 19:15-16
R. S. 19:15-27 amended 1947, c. 104, s. 4.
R. S. 19:15-28 " 1947, c. 104, s. 5.
R. S. 19:15-35 repealed 1944, c. 230, s. 4.
R. S. 19:15-36 " 1944, c. 230, s. 4.

Chapter 16. COUNTING BALLOTS BY DISTRICT BOARDS.

- R. S. 19:16-1 repealed 1947, c. 104, s. 9.
R. S. 19:16-3 amended 1947, c. 104, s. 6.
R. S. 19:16-4 " 1947, c. 104, s. 7.

Chapter 17. RETURNS BY DISTRICT BOARDS.

- R. S. 19:17-1 amended 1945, c. 76, s. 1.
R. S. 19:17-3 " 1945, c. 76, s. 2; 1947, c. 168, s. 6.

Chapter 18. DISPOSITION OF BALLOT BOXES, ELECTION RECORDS AND EQUIPMENT.

- R. S. 19:18-1 amended 1947, c. 168, s. 7.
R. S. 19:18-7 " 1945, c. 76, s. 3.

Subtitle 3. PRIMARY ELECTIONS.

Chapter 23. PRIMARY FOR GENERAL ELECTION.

Article 1. Notice of Elections.

- R. S. 19:23-1 amended 1946, c. 11, s. 13; see 1945, c. 7, ss. 4, 7.

Article 2. Registry Book—Municipalities Not Having Permanent Registration.

- R. S. 19:23-3 repealed 1947, c. 104, s. 9.
R. S. 19:23-4 " 1947, c. 104, s. 9.

Article 3. Nomination of Candidates.

Note: For certification of names for nomination and printing of primary ballots, official and samples, certain second-class counties, regulated, see 1945, c. 68, amended 1945, c. 290.

- R. S. 19:23-8 amended 1945, c. 285.
R. S. 19:23-12 see 1945, c. 7, s. 15 (amended 1946, c. 10, s. 6).
R. S. 19:23-13 " 1945, c. 7, s. 15 (amended 1946, c. 10, s. 6).

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- R. S. 19:23-14 see 1945, c. 7, s. 19 (amended 1946, c. 10, s. 10).
R. S. 19:23-17 amended 1944, c. 231.
R. S. 19:23-21 see 1945, c. 7, s. 17 (amended 1946, c. 10, s. 8).
R. S. 19:23-22 " 1945, c. 7, s. 18 (amended 1946, c. 10, s. 9).

Additional Legislation.

Date for filing nominating petitions, fixed during war time,
1945, c. 7, s. 2, amended 1946, c. 10, s. 2.

**Article 3A. (new) Certification of Nominations and Furnishing of Ballots in
Certain Second-class Counties.**

Additional Legislation.

Certification of names for nomination and printing of primary
ballots, official and samples, certain second-class counties,
regulated, suppl., 1945, c. 68.

Sec. 2 of above amended 1945, c. 290, s. 1.

Sec. 3 " " " 1945, c. 290, s. 2.

Article 4. OFFICIAL BALLOTS.

Note: For certification of names for nomination and printing of primary
ballots, official and samples, certain second-class counties, regulated,
see 1945, c. 68, amended 1945, c. 290.

- R. S. 19:23-24 see 1945, c. 7, s. 20 (amended 1946, c. 10, s. 11).
R. S. 19:23-25 amended 1947, c. 104, s. 8.
R. S. 19:23-26 repealed 1947, c. 104, s. 9.

Additional Legislation.

Printing of designations or slogans on ballots prohibited, certain
cases, suppl., 1944, c. 8, s. 3.

Article 5. SAMPLE BALLOTS.

Note: For certification of names for nomination and printing of primary
ballots, official and samples, certain second-class counties, regulated,
see 1945, c. 68, amended 1945, c. 290.

- R. S. 19:23-30 amended 1946, c. 261, s. 3; 1947, c. 168, s. 8.
R. S. 19:23-32 " 1947, c. 168, s. 9.
R. S. 19:23-33 " 1946, c. 261, s. 4; 1947, c. 168, s. 10.
R. S. 19:23-34 " 1946, c. 261, s. 5; 1947, c. 168, s. 11.
R. S. 19:23-35 " 1946, c. 261, s. 6; 1947, c. 168, s. 12.
R. S. 19:23-36 " 1946, c. 261, s. 7; 1947, c. 168, s. 13.

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Article 7. Conduct of Primary in General.

R. S. 19:23-40 amended 1946, c. 11, s. 14.

Article 8. Registry and Poll Books.

R. S. 19:23-43 repealed 1947, c. 104, s. 9.

R. S. 19:23-44 “ 1947, c. 104, s. 9.

Article 10. Canvass of Votes; Certification of Results.

R. S. 19:23-50 amended 1945, c. 76, s. 4.

R. S. 19:23-53 “ 1945, c. 76, s. 5; 1947, c. 168, s. 14.

**Chapter 24. PRIMARY FOR DELEGATES AND ALTERNATES TO
NATIONAL CONVENTIONS.**

R. S. 19:24-1 amended 1946, c. 11, s. 15; see 1945, c. 7, s. 4.

R. S. 19:24-2 see 1945, c. 7, s. 5.

R. S. 19:24-4 “ 1945, c. 7, s. 17 (amended 1946, c. 10, s. 8).

R. S. 19:24-5 amended 1944, c. 8, s. 1.

Chapter 25. PETITION INDORSING CANDIDATE FOR PRESIDENT.

R. S. 19:25-1 repealed 1944, c. 8, s. 2.

R. S. 19:25-2 “ 1944, c. 8, s. 2.

Chapter 26. ANY PRIMARY.

R. S. 19:26-3 repealed 1947, c. 104, s. 9.

Subtitle 4. SPECIAL ELECTIONS AND FILLING VACANCIES.

Chapter 27. GENERAL PROVISIONS.

R. S. 19:27-14 amended 1947, c. 168, s. 15.

Additional Legislation.

Filling certain vacancies in representation in House of
Representatives, regulated, suppl., 1945, c. 206.

Subtitle 5. RECOUNTS AND CONTESTS—ANY ELECTION.

**Chapter 29. CONTEST OF NOMINATIONS OR ELECTIONS—
ANY ELECTION.**

R. S. 19:29-2 amended 1947, c. 6.

Subtitle 6. REGISTRATION OF VOTERS.**Chapter 30. MUNICIPALITIES NOT HAVING PERMANENT REGISTRATION.**

Note: For requirement of permanent registration in all municipalities, see 1943, c. 218.

- R. S. 19:30-1 repealed 1947, c. 347, s. 5.
- R. S. 19:30-2 amended 1947, c. 168, s. 16; repealed 1947, c. 347, s. 5.
- R. S. 19:30-3 repealed 1946, c. 11, s. 16.
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Chapter 31. MUNICIPALITIES HAVING PERMANENT REGISTRATION.

- R. S. 19:31-2 amended 1947, c. 168, s. 17.
- R. S. 19:31-6 " 1945, c. 36, s. 1; 1947, c. 168, s. 18.
- R. S. 19:31-7 " 1945, c. 36, s. 2.
- R. S. 19:31-11 " 1944, c. 251; 1945, c. 75; 1946, c. 149.
- R. S. 19:31-13 " 1945, c. 117.
- R. S. 19:31-14 " 1947, c. 277, s. 1.
- R. S. 19:31-15 " 1945, c. 18; 1947, c. 168, s. 19.
- R. S. 19:31-16 " 1947, c. 168, s. 20.
- R. S. 19:31-17 " 1947, c. 168, s. 21.
- R. S. 19:31-18 " 1947, c. 347, s. 1.
- R. S. 19:31-20 " 1947, c. 168, s. 22.
- R. S. 19:31-21 " 1945, c. 77.

Additional Legislation.

Moving permits, monthly reports of issuance, required, suppl., 1940, c. 54.

Sec. 1 of above amended 1947, c. 310.

Permanent registration in all municipalities after July 1, 1943, provided for, suppl., 1941, c. 273, s. 1.

Sec. 1 of above amended 1943, c. 218.

New election districts, ascertainment of permanent registrations, provided for, suppl., 1947, c. 277, s. 2.

Registry lists, certification, transmission, printing, furnishing copies, investigations by chiefs of police, filing, provided for, suppl., 1947, c. 347, ss. 2-5.

Registration, change of residence, commissioner to notify commissioner of county where last registered, etc., provided for, suppl., 1947, c. 414.

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**Chapter 31A. (new) SIGNATURE COMPARISON RECORDS; FORM
AND USE.**

Signature comparison record act, suppl., 1941, c. 177 (amended
1943, c. 219), repealed 1944, c. 230, s. 4.

Form, use, etc., of signature comparison record, provided for,
suppl., 1944, c. 230, ss. 1-3.

Subtitle 7. ENFORCEMENT OF ELECTION LAW.

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R. S. 19:32-1 amended 1944, c. 45.

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- R. S. 19:48-4 amended 1945, c. 56, s. 1; 1947, c. 168, s. 24.
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- R. S. 26:4-27 amended 1945, c. 104, s. 1.
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Title of above amended 1947, c. 323, s. 1.

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- R. S. 26:6-7 amended 1945, c. 253.

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- R. S. 27:15-2 repealed 1947, c. 62, ss. 16, 18.
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- R. S. 27:15-4 amended 1944, c. 110, s. 2; repealed 1947, c. 62, ss. 16, 18.
- R. S. 27:15-5 repealed 1947, c. 62, ss. 16, 18.
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- R. S. 27:15-10 amended 1944, c. 110, s. 3; repealed 1947, c. 62, ss. 16, 18.
- R. S. 27:15-11 " 1944, c. 110, s. 4; repealed 1947, c. 62, ss. 16, 18.
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- R. S. 28:1-1 repealed 1945, c. 22, s. 44.
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- R. S. 28:2-2 repealed 1945, c. 22, s. 44.
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- R. S. 28:2-10 amended 1946, c. 127, s. 1.
- R. S. 28:2-11 " 1946, c. 127, s. 2.
- R. S. 28:2-15 repealed 1945, c. 22, s. 44.
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Sec. 4 " " " 1947, c. 274, s. 3.

Sec. 6 " " " 1947, c. 274, s. 4.

Article 12. Particular Institutions.**A. STATE PRISON.**

R. S. 30:4-143 amended 1946, c. 312, s. 1.

D. WOMEN'S REFORMATORY.

R. S. 30:4-154 amended 1946, c. 312, s. 2.

R. S. 30:4-155 " 1946, c. 312, s. 3

F. STATE TUBERCULOSIS SANATORIUM.

R. S. 30:4-159 amended 1946, c. 253.

K. (new) CHILD TREATMENT CENTERS.**Additional Legislation.**

Arthur Brisbane Child Treatment Center established; admitting and receiving patients, provided for, suppl., 1947, c. 252, ss. 1-11.

Chapter 4A. (new) DIAGNOSTIC CENTER.

Diagnostic Center, establishment and administration of, and commitment and admission, etc., thereto, provided for, suppl., 1946, c. 118.

Sec. 1 of above amended 1947, c. 238.

Subtitle 2. STATE BOARD OF CHILDREN'S GUARDIANS.**Chapter 5. ASSISTANCE TO AND CARE, CUSTODY, GUARDIANSHIP, ETC., OF CHILDREN.**

R. S. 30:5-7 amended 1944, c. 194, s. 1.

R. S. 30:5-8 " 1947, c. 128.

R. S. 30:5-33 " 1944, c. 194, s. 2; 1945, c. 264.

R. S. 30:5-37 " 1944, c. 194, s. 3.

R. S. 30:5-44 " 1944, c. 194, s. 4.

Additional Legislation.

Claims for reimbursement for financial assistance, compromise, provided for, 1943, c. 89.

State Board of Children's Guardians, name changed to State Board of Child Welfare, suppl., 1947, c. 257, ss. 1-2.

Subtitle 3. BLIND, DEAF AND DUMB AND FEEBLE-MINDED PERSONS.**Chapter 6. RELIEF OF BLIND, DEAF AND DUMB AND FEEBLE-MINDED.**

R. S. 30:6-3	amended 1944, c. 241, s. 1; 1946, c. 168, s. 1.
R. S. 30:6-5	" 1946, c. 168, s. 3.
R. S. 30:6-6	repealed 1944, c. 241, s. 5.
R. S. 30:6-7	" 1944, c. 241, s. 5.
R. S. 30:6-11	amended 1944, c. 241, s. 2.
R. S. 30:6-12	repealed 1944, c. 241, s. 5.
R. S. 30:6-13	amended 1944, c. 241, s. 3.
R. S. 30:6-14	" 1946, c. 168, s. 4.
R. S. 30:6-16	" 1944, c. 241, s. 4.

Additional Legislation.

Investigation of applications for assistance and temporary orders for assistance, provided for, suppl., 1946, c. 168, s. 2.

Subtitle 4. SOLDIERS' HOMES.**Chapter 6A. HOMES FOR DISABLED SOLDIERS, SAILORS AND MARINES AND THEIR WIVES AND WIDOWS.**

R. S. 30:6A-14	amended 1943, c. 129; 1946, c. 225, s. 1.
R. S. 30:6A-16	" 1946, c. 225, s. 2.

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, amended 1946, c. 306, 1947, c. 274.

Chapter 8. PENAL INSTITUTIONS.

Note: For inmates of penal and correctional institutions, examination, treatment, etc., for venereal diseases, required, see 1945, c. 101.

R. S. 30:8-15	amended 1945, c. 44.
R. S. 30:8-20	" 1945, c. 149.

Additional Legislation.

Compensation of guards, keepers and industrial officers in jails, detention houses and penitentiaries; first class counties, 1938, c. 54.

Sec. 1 of above amended 1947, c. 212, s. 1.

Jail keepers in certain counties of the second and fifth class, compensation same as court attendants, in certain cases, suppl., 1947, c. 278.

Chapter 9. ASYLUMS AND HOSPITALS.

Note: For right to examine hospital records in compensation cases and actions for damages, provided for, see 1945, c. 286; for veterans; certain, care and treatment in county hospitals, provided for, see 1946, c. 73.

Article 1A. (new) County Hospitals.

Additional Legislation.

County hospitals, in certain counties, authorized, 1947, c. 34.

Article 2. City and Municipal Hospitals in General.

R. S. 30:9-17 amended 1945, c. 173.

Additional Legislation.

Medical director, assistants, etc., appointment, salary, etc., for hospitals and medical centers, certain first-class cities and counties, suppl., 1941, c. 52.

Sec. 1 of above amended 1943, c. 56.

Retirement system and pension fund benefits, suppl., 1943, c. 58.

Article 4. Institutions for Communicable Diseases.

R. S. 30:9-29 amended 1945, c. 181.

R. S. 30:9-38 " 1946, c. 223, ss. 1, 3.

R. S. 30:9-40 " 1945, c. 43.

R. S. 30:9-50 " 1942, c. 328.

R. S. 30:9-58 " 1945, c. 252.

R. S. 30:9-63 " 1947, c. 254, s. 1.

R. S. 30:9-66 " 1947, c. 254, s. 2.

Additional Legislation.

Abolition of appointed Board of Managers and control of institution by Board of Chosen Freeholders or committee, certain counties, provided for, suppl., 1946, c. 223, ss. 2, 3.

Subtitle 7. PRIVATE INSTITUTIONS.

Chapter 11. NURSING HOMES OR HOSPITALS.

Note: For right to examine hospital records in compensation cases and actions for damages, provided for, see 1945, c. 286.

R. S. 30:11-1 amended 1947, c. 340, s. 1.

R. S. 30:11-3 " 1947, c. 340, s. 3.

R. S. 30:11-4 " 1947, c. 340, s. 4.

R. S. 30:11-5 repealed 1947, c. 340, s. 5.

Additional Legislation.

Private nursing homes and hospitals, licensing and regulation of, definitions, suppl., 1947, c. 340, s. 2.

Private nursing homes and hospitals, licensing and regulation of, inspections, approvals of plans, provided for, suppl., 1947, c. 340, s. 6.

Private nursing homes and hospitals, licensing and regulation of, hospital licensing board, composition, duties, and powers, provided for, suppl., 1947, c. 340, ss. 7, 8, 9.

**Title 32. INTERSTATE AND PORT AUTHORITIES
AND COMMISSIONS.**

Note: For legal aid to police officers and firemen in suits arising from incidents in line of duty, provided for, see 1946, c. 67, amended 1947, c. 103.

Subtitle 1. THE PORT OF NEW YORK AUTHORITY.

Note: For instruments issued by Port of New York Authority, certain of such made negotiable, see 1947, c. 45.

**Chapter 1. COMPACT OF APRIL 30, 1921, WITH SUPPLEMENTARY AND
AMENDATORY LAWS.**

Article 2A. (new) Air Terminals.

Additional Legislation.

Air terminals, financing and effectuation of, provided for, 1947, c. 43.

Sec. 8 of above amended 1947, c. 330, ss. 1, 4.

Sec. 10 " " " 1947, c. 330, ss. 2, 4.

Sec. 15 " " " 1947, c. 330, ss. 3, 4.

Article 2B. (new) Marine Terminals.

Additional Legislation.

Marine terminals, financing and development of, provided for, 1947, c. 44.

Article 3. Arthur Kill Bridges.

A. OUTERBRIDGE CROSSING; CONSTRUCTION.

Note: For repayment to States of New York and New Jersey of certain moneys advanced for Outerbridge Crossing in cash or bonds, provided for, see 1946, c. 54.

C. GOETHALS BRIDGE; CONSTRUCTION.

Note: For repayment to States of New York and New Jersey of certain moneys advanced for Goethals Bridge in cash or bonds, provided for, see 1946, c. 54.

E. ARTHUR KILL BRIDGES; FINANCING.

Note: For repayment to States of New York and New Jersey of certain moneys advanced for Arthur Kill Bridges in cash or bonds, provided for, see 1946, c. 54.

Article 5. Bayonne Bridge.

Note: For repayment to States of New York and New Jersey of certain moneys advanced for Bayonne Bridge in cash or bonds, provided for, see 1946, c. 54.

Article 6A. (new) REFINANCING.

Additional Legislation.

Repayment to States of New York and New Jersey of certain moneys advanced in connection with construction, etc., of Outerbridge Crossing, Goethals Bridge and Bayonne Bridge in cash or bonds, issuance, terms, etc., of bonds, provided for, 1946, c. 54.

Article 7. General Reserve Fund.

Note: For principal and interest of bonds issued to repay States of New York and New Jersey for certain advances secured by general reserve fund, see 1946, c. 54; for pledge of general reserve fund to provide funds to establish, maintain, etc., a motor bus terminal, authorized, see 1946 c. 95.

1931, c. 5, title amended 1945, c. 197, s. 1.

R. S. 32:1-141 1931, c. 5, s. 1 “ 1945, c. 197, s. 2.

Additional Legislation.

Establishment, acquisition, rehabilitation, etc., of motor truck terminals and issuance of bonds and acquisition of property therefor, provided for, suppl., 1945, c. 197, ss. 3-5

**Chapter 2. OTHER LAWS RELATING TO THE PORT OF
NEW YORK AUTHORITY.**

Article 4A. (new) Motor Bus Terminal.

Additional Legislation.

Motor bus terminal, establishment, maintenance, operation and financing of, provided for, 1946, c. 95.

**Subtitle 2. DELAWARE RIVER JOINT COMMISSION
[CAMDEN-PHILADELPHIA BRIDGE]**

Chapter 5A. (new) PROMOTION OF COMMERCE AND FACILITIES.

Campaign to promote increased commerce on Delaware River, directed, 1947, c. 282.

Subtitle 4. DELAWARE RIVER BRIDGES.

**Chapter 8. COMPACT CREATING THE DELAWARE RIVER
JOINT TOLL BRIDGE COMMISSION.**

R. S. 32:8-10 amended 1947, c. 283, ss. 1, 2, 3 and 5.

R. S. 32:8-11 “ 1947, c. 283, ss. 1, 2, 3 and 5.

**Chapter 9. ACQUISITION OF TOLL BRIDGES AND MAINTENANCE
THEREOF AS FREE BRIDGES.**

Additional Legislation.

Receipts appropriated to Commission, 1946, c. 298.

Chapter 10. BRIDGE POLICE; OFFENSES ON BRIDGES.

R. S. 32:10-2 amended 1945, c. 198.

**Chapter 11A. BRIDGE ACROSS DELAWARE RIVER AT OR
NEAR YARDLEY.**

R. S. 32:11A-1 repealed 1947, c. 283, ss. 4, 5.
to 32:11A-8

Subtitle 4A. (new) DELAWARE-NEW JERSEY CROSSING.

Chapter 11B. (new) DELAWARE-NEW JERSEY CROSSING.

Delaware-New Jersey Crossing, consent to construction and operation as toll crossing by State of Delaware, provision of eastern approach to and exemption from taxation, provided for, 1946, c. 18.

Subtitle 5. COUNTY INTERSTATE BRIDGES AND TUNNELS.

Chapter 13A. GLOUCESTER COUNTY TUNNEL.

R. S. 32:13A-4 amended 1947, c. 388.

Subtitle 6. PALISADES INTERSTATE PARK.

Note: For exemption of lands of Palisades Interstate Park Commission, compensation to municipalities for loss of tax revenue therefrom, provided for, see 1947, c. 73.

Title 33. INTOXICATING LIQUORS.

Chapter 1. ALCOHOLIC BEVERAGE LAW.

R. S. 33:1-4	amended 1944, c. 216; 1945, c. 229.
R. S. 33:1-12	" 1946, c. 272.
R. S. 33:1-12.1	repealed 1943, c. 47.
R. S. 33:1-22	amended 1946, c. 316.
R. S. 33:1-25	" 1943, c. 46.
R. S. 33:1-26	" 1943, c. 152.
R. S. 33:1-35	" 1943, c. 37.
R. S. 33:1-39	" 1943, c. 154.
R. S. 33:1-47.1	" 1945, c. 259.
R. S. 33:1-81	" 1946, c. 246.

Additional Legislation.

Licensees not to limit amount of off premises sales; to post notice of disposal of stock of advertised brands, suppl., 1939, c. 171, repealed 1943, c. 153.

Licenses effective on expiration of licenses previously issued, renewals, suppl., 1939, c. 281.

Sec. 1 of above amended 1944, c. 187.

Club licenses, issuance, certain cases, provided for, suppl., 1945, c. 55.

New plenary retail consumption, seasonal retail consumption, plenary retail distribution, licenses, limitation of number in municipalities, provided for, suppl., 1946, c. 147.

Retail consumption licenses, limitation on number of new, certain cases, suppl., 1947, c. 94.

Secretaries to municipal boards of alcoholic beverage control, authorized, suppl., 1947, c. 269.

Chapter 4. (new) COMMISSION ON ALCOHOLISM AND PROMOTION OF TEMPERANCE.

Commission constituted, functions, powers, duties, etc., 1945, c. 94.

Title 34. LABOR AND WORKMEN'S COMPENSATION.

Note: For discrimination, on account of race, creed or color, against persons to be employed on war or defense work prohibited, see 1942, c. 114, amended 1945, c. 174; for certain discriminatory practices in employment and otherwise, prohibited and Division Against Discrimination in the State Department of Education, established, see 1945, c. 169, amended 1947, c. 155; for deliveries of milk and cream regulated, see 1945, c. 294.

Chapter 1. ORGANIZATION OF DEPARTMENT OF LABOR.

- R. S. 34:1-38 amended 1946, c. 249, s. 1.
 R. S. 34:1-40 " 1946, c. 249, s. 2.
 R. S. 34:1-57 " 1945, c. 74, ss. 2, 1.

Additional Legislation.

Directorship of Workmen's Compensation Bureau, first incumbent provided for, suppl., 1945, c. 74, ss. 3, 1.

Chapter 2. CHILD AND FEMALE LABOR; MERCANTILE ESTABLISHMENTS.**Additional Legislation.**

State Commission on Student Service established, powers, etc., suppl., 1942, c. 23.

Sec. 2 of above amended 1943, c. 195, s. 1.

Sec. 3 " " " 1943, c. 195, s. 2.

Sec. 23 " " " 1943, c. 44.

Certificates of merit for service (suppl., 1942, c. 23), suppl., 1943, c. 78.

Special dispensation for minors to work over hours, provided for, 1943, c. 146.

Chapter 6. INSPECTION AND REGULATION OF FACTORIES, MINES, WORKSHOPS AND OTHER INDUSTRIES.**Additional Legislation.**

Industrial Homework Control and Licensing Law, 1941, c. 308.

Sec. 2 of above amended 1942, c. 307.

**Chapter 7. ENGINEERS' AND FIREMEN'S LICENSES; BOILERS,
PRESSURE VESSELS AND REFRIGERATION PLANTS.**

R. S. 34:7-1	amended 1946, c. 249, s. 3.
R. S. 34:7-2	" 1946, c. 249, s. 4.
R. S. 34:7-3	" 1946, c. 249, s. 5.
R. S. 34:7-5	" 1946, c. 249, s. 6.
R. S. 34:7-6	" 1946, c. 249, s. 7.
R. S. 34:7-14	" 1946, c. 92, s. 1.
R. S. 34:7-15	" 1946, c. 92, s. 2.
R. S. 34:7-16	" 1946, c. 92, s. 3.
R. S. 34:7-19	" 1946, c. 92, s. 4.
R. S. 34:7-24	" 1946, c. 92, s. 5.
R. S. 34:7-26	" 1946, c. 92, s. 6.

Chapter 8. EMPLOYMENT AGENCIES.

R. S. 34:8-2	amended 1944, c. 203.
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Chapter 9A. (new) MIGRANT LABOR.

Note: For migrant labor, examinations for venereal diseases, provided for, see 1945, c. 102.

Migrant labor act (1945), 1945, c. 71.

Chapter 13A. (new) NEW JERSEY LABOR MEDIATION ACT.

Mediation of labor disputes, regulated, 1941, c. 100.

Sec. 4 of above amended 1945, c. 32, s. 1.

Sec. 9 " " " 1945, c. 32, s. 2.

State Board of Mediation, qualification of members prescribed, suppl., 1945, c. 32, s. 3.

Chapter 13B. (new) LABOR DISPUTES IN PUBLIC UTILITIES.

Collective bargaining and settlement of labor disputes in public utilities, and seizure and operation of public utilities by the State in certain cases, provided for, 1946, c. 38.

Title of above amended 1947, c. 47, s. 1; 1947, c. 75, s. 1.

Sec. 1 " " " 1947, c. 75, s. 3.

Sec. 15 " " " 1947, c. 75, s. 9.

Sec. 17 " " " 1947, c. 75, s. 10.

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Labor disputes in public utilities, compulsory arbitration, provided for, suppl., 1947, c. 47.

Title of above amended 1947, c. 75, s. 2.

Sec. 3 " " " 1947, c. 75, s. 4.

Sec. 4 " " " 1947, c. 75, s. 5.

Sec. 5 " " " 1947, c. 75, s. 6.

Sec. 7 " " " 1947, c. 75, s. 7.

Sec. 8 " " " 1947, c. 75, s. 8.

Sec. 9 " " " 1947, c. 75, s. 12.

Injunction to prohibit violation of, Chancery may issue on application by Attorney General, suppl., 1947, c. 75, s. 11.

Chapter 15. WORKMEN'S COMPENSATION.

Note: For right to examine hospital records in compensation cases and action for damages, provided for, see 1945, c. 286.

Article 2. Elective Compensation.

R. S. 34:15-10 amended 1945, c. 74, ss. 4, 1.

R. S. 34:15-12 " 1945, c. 74, ss. 5, 1, 20.

R. S. 34:15-13 " 1945, c. 74, ss. 6, 1, 20.

R. S. 34:15-14 " 1945, c. 74, ss. 7, 1.

R. S. 34:15-16 " 1945, c. 74, ss. 8, 1.

R. S. 34:15-22 " 1945, c. 74, ss. 9, 1.

R. S. 34:15-26 " 1945, c. 74, ss. 10, 1.

R. S. 34:15-31 " 1945, c. 53.

Additional Legislation.

Silicosis and Asbestosis, compensation provided for, suppl., 1944, c. 88.

Rate of compensation, in certain cases, of veterans employed in on-the-job-training, provided for, suppl., 1947, c. 364.

Article 3. Definitions and General Provisions.

R. S. 34:15-36 amended 1945, c. 74, ss. 11, 1, 20.

R. S. 34:15-37 " 1945, c. 74, ss. 12, 1, 20.

R. S. 34:15-38 " 1945, c. 74, ss. 13, 1.

R. S. 34:15-43 " 1946, c. 300, s. 1.

R. S. 34:15-48 " 1947, c. 31.

Additional Legislation.

Limitation for filing petitions and instituting proceedings,
certain cases, extended, suppl., 1943, c. 72.

Article 4. Claims and Determination Thereof.

- R. S. 34:15-53 amended 1945, c. 74, ss. 14, 1.
- R. S. 34:15-54 " 1947, c. 267.
- R. S. 34:15-55.1 " 1945, c. 74, ss. 15, 1.
- R. S. 34:15-64 " 1945, c. 74, ss. 16, 1.
- R. S. 34:15-66 " 1945, c. 74, ss. 17, 1.
- R. S. 34:15-67 " 1945, c. 97.

Article 5. Compulsory Insurance.

Note: For compliance with workmen's compensation compulsory insurance provisions, made condition of municipal license to operate theatres or other amusement businesses, see 1947, c. 296.

- R. S. 34:15-74 amended 1946, c. 300, s. 2.
- R. S. 34:15-75 " 1945, c. 74, ss. 18, 1, 20.
- R. S. 34:15-94 " 1945, c. 10, s. 1.
- R. S. 34:15-95 " 1945, c. 10, s. 2; 1945, c. 74, ss. 19, 1.

Chapter 16. REHABILITATION.

- R. S. 34:16-6 amended 1946, c. 263.

Title 35. LEGAL ADVERTISEMENTS.

Chapter 1. LEGAL NEWSPAPERS.

Additional Legislation.

Suspension of publication, war time, certain cases, provided for,
1943, c. 105.

Chapter 2. OFFICIAL ADVERTISING.

R. S. 35:2-1 amended 1944, c. 156.

Additional Legislation.

County and municipal advertising in newspaper published out-
side of county or municipality, authorized, suppl., 1944,
c. 83.

Title 36. LEGAL HOLIDAYS.

Chapter 1. LEGAL HOLIDAYS AND EFFECT THEREOF.

R. S. 36:1-1 amended 1946, c. 55; 1947, c. 10.

Additional Legislation.

Mother's Day and Father's Day, provided for, 1944, c. 116.

Saturday holidays during July and August for public offices of
the State, counties and municipalities, provided for, suppl.,
1946, c. 129.

Title 37. MARRIAGES AND MARRIED PERSONS.

Chapter 1. MARRIAGES.

R. S. 37:1-4	amended 1946, c. 185, s. 1.
R. S. 37:1-5	“ 1946, c. 185, s. 2.
R. S. 37:1-6	“ 1946, c. 185, s. 3.
R. S. 37:1-8	“ 1946, c. 185, s. 4.

Chapter 2. MARRIED PERSONS.

Note: For mortgage to husband and wife, unless otherwise provided, held fully as joint tenants, words of survivorship not required, see 1947, c. 206.

R. S. 37:2-18	amended 1947, c. 408.
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Additional Legislation.

Partnership contracts between husband and wife and others,
authorized, and previous contracts validated, suppl.,
1945, c. 130.

Title 38. MILITIA—SOLDIERS, SAILORS AND MARINES.

Subtitle 1. MILITIA.

Chapter 1. CLASSIFICATION OF MILITIA.

R. S. 38:1-1 amended 1942, c. 344; 1947, c. 108, s. 1.

Chapter 2. DEPARTMENTS.

R. S. 38:2-2 amended 1947, c. 105, s. 1.

R. S. 38:2-10 " 1947, c. 105, s. 2.

R. S. 38:2-17 " 1947, c. 105, s. 3.

Chapter 3. NATIONAL GUARD.

R. S. 38:3-30 amended 1947, c. 108, s. 2.

R. S. 38:3-36 " 1946, c. 224.

Chapter 7. STATE MILITARY BOARD.

R. S. 38:7-1 amended 1946, c. 234.

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Chapter 15. BONUS.

Note: For annual reports to Secretary of State by veterans' organizations provided for, see 1946, c. 226.

Chapter 16. TENURE OF OFFICE.

Note: For definition of public service in connection with rights, privileges and benefits of honorably discharged veterans, see 1945, c. 175.

Additional Legislation.

Tenure of employees, etc., of joint municipal commissions in war service, provided for, 1944, c. 249.

Policemen, firemen and motor vehicle inspectors, time spent in war service to be counted in determining seniority, etc., 1944, c. 86.

Chapter 17. BURIAL OF DECEASED SOLDIERS, SAILORS, MARINES AND NURSES.

Note: For monthly record of burials of deceased veterans required to be furnished by State Department of Health to Superintendents of Soldiers' Burials or Boards of Chosen Freeholders, see 1945, c. 202; amended 1946, c. 232.

R. S. 38:17-1 amended 1945, c. 302; 1947, c. 175, s. 1.

R. S. 38:17-2 " 1946, c. 229; 1947, c. 237.

R. S. 38:17-9 " 1946, c. 230.

Additional Legislation.

Records of veterans' graves, maintenance, etc., provided for,
suppl., 1945, c. 201.

Sec. 1 of above amended 1946, c. 233.

**Chapter 18. COMPENSATION FOR BLIND SOLDIERS, SAILORS
AND MARINES.**

R. S. 33:18-1 amended 1945, c. 106, s. 1; 1946, c. 85, s. 1.

R. S. 38:18-2 " 1945, c. 106, s. 2; 1946, c. 85, s. 2.

R. S. 38:18-3 " 1945, c. 106, s. 3; 1946, c. 85, s. 3.

**Chapter 18A. (new) COMPENSATION FOR VETERANS SUFFERING
FROM PARAPLEGIA.**

Veterans suffering from paraplegia traumatically contracted in
active military or naval service, compensation, provided
for, 1947, c. 263.

Chapter 20. EDUCATION OF WAR ORPHANS.

R. S. 38:20-1 amended 1944, c. 197.

R. S. 38:20-3 " 1945, c. 105.

Chapter 23. LEAVE OF ABSENCE FROM PUBLIC EMPLOYMENT.

Note: For public service in connection with rights, privileges and
benefits of honorably discharged veterans, defined, see 1945, c. 175.

R. S. 38:23-2 amended 1945, c. 176; 1947, c. 271.

Additional Legislation.

Leave of absence of State, county, municipal, school district,
etc., employees for military service, made obligatory,
1941, c. 119.

Title of above amended 1942, c. 327, s. 1.

Sec. 1 " " " 1942, c. 327, s. 2.

Pension and retirement fund rights of State, county, municipal,
school district, etc., employees in military or naval serv-
ice, saved, etc., suppl., 1942, c. 252.

Title of above amended 1942, c. 326, s. 1.

Sec. 1 " " " 1942, c. 326, s. 2; 1944, c. 87.

Sec. 2 " " " 1942, c. 326, s. 3.

Chapter 23A. (new) SPECIAL PRIVILEGES AND EXEMPTIONS OF PERSONS IN MILITARY AND NAVAL SERVICE.

Note: For establishment and maintenance of veterans' education and training program, see 1946, c. 64, amended 1947, c. 141; for special pardons and paroles for certain persons having served in military or naval service, provided for, procedure, etc., see 1946, c. 209.

Oaths, affidavits, acknowledgments, proofs, etc., by persons in military service, taking before commissioned officers, authorized, 1941, c. 333.

Title of above amended 1945, c. 234, s. 1.

Sec. 1 " " " 1943, c. 156; 1945, c. 234, s. 2.

Time of war service not to be counted in determining maximum age limits for appointment or election to State, county, municipal or school district, office, position, etc., 1944, c. 98.

Sec. 1 of above amended 1946, c. 206.

Definition of public service in connection with rights, privileges and benefits of honorably discharged veterans, suppl., 1945, c. 175.

Renewal or reinstatement of certain licenses, registration certificates or permits to practice profession or engage in occupation, for veterans, provided for, 1946, c. 51.

Apprentice and on the job training programs for veterans in State Departments and counties and municipalities, provided for, 1946, c. 162.

Chapter 23B. (new) VETERANS' LOANS.

Note: For exemption from taxation of certain veterans' loans held by savings banks, see 1945, c. 80.

Article 1. (new) Veterans' Loan Act (1944).

Veterans' Loan Act (1944) 1944, c. 126 (short title amended as above, 1946, c. 121, s. 18).

Title of above amended 1946, c. 121, s. 1.

Sec. 1 " " " 1946, c. 121, s. 3.

Sec. 4 of above, see 1946, c. 121, s. 4.

Sec. 5 of above amended 1945, c. 185, s. 1; 1946, c. 121, s. 5.

Sec. 6 " " " 1945, c. 185, s. 2.

Sec. 8 " " " 1945, c. 185, s. 3; 1946, c. 121, s. 6.

Sec. 9 " " " 1945, c. 185, s. 4; 1946, c. 121, s. 7.

Sec. 12 " " " 1945, c. 185, s. 5; 1946, c. 121, s. 9; 1947, c. 190, s. 1.

Sec. 13 " " " 1946, c. 121, s. 11.

Sec. 14 " " " 1945, c. 185, s. 6; 1946, c. 121, s. 12.

Sec. 15 " " repealed 1945, c. 185, s. 14.

Sec. 16 " " amended 1945, c. 185, s. 13.

Sec. 17 " " " 1947, c. 190, s. 3.

Sec. 18 " " " 1946, c. 121, s. 16; 1947, c. 190, s. 4.

Sec. 19 " " " 1946, c. 121, s. 17.

Sec. 21 " " " 1946, c. 121, s. 18.

Veterans' loans, guarantee and insurance by authority, reserves, defaults, etc., provided for, suppl., 1945, c. 185, ss. 7-12.

Title of above amended 1946, c. 121, s. 2.

Sec. 11 " " " 1946, c. 121, s. 15.

Capitalization of authority, increase of, provided for, 1946, c. 121, s. 4.

Applications for loans for purchase of household furnishings or appliances, submission and approval, provided for, 1946, c. 121, s. 8.

Loans for purchase of household furnishings and appliances, terms and security, provided for, 1946, c. 121, s. 10; amended 1947, c. 190, s. 2.

Veterans' loans, guarantee and insurance by authority, reserves, defaults, etc., provided for, suppl., 1945, c. 185, ss. 7-12; 1946, c. 121, ss. 13, 14.

Article 2. (new) Veterans' Loans in General.

Contracts, obligations, pledges, mortgages and conveyances, made by minors over eighteen years of age in connection with certain veterans' loans, made valid and enforceable, 1946, c. 134.

Title of above amended 1947, c. 189, s. 1.

Sec. 1 " " " 1947, c. 189, s. 2.

Chapter 24. STATE SERVICE OFFICER.

Note: For transfer of powers and duties to Department of Economic Development, see 1944, c. 85, amended 1945, c. 128; for records of veterans' graves, maintenance, etc., see 1945, c. 201, amended 1946, c. 233.

R. S. 38:24-1 repealed 1944, c. 85, s. 52.

R. S. 38:24-2 " 1944, c. 85, s. 52.

Chapter 25A. (new) SOUVENIRS, INSIGNIA AND EMBLEMS.

Designation of State souvenir of deceased veterans of the World War; sales regulated, 1938, c. 207.

Sec. 3 of above amended 1943, c. 85.

Subtitle 4. (new) INDUCTION INTO ARMED FORCES OF UNITED STATES.

Chapter 28. (new) INMATES OF PENAL AND CORRECTIONAL INSTITUTIONS.

Release of inmates from penal and correctional institutions for induction into armed forces of the United States provided for, 1945, c. 54.

**Title 39. MOTOR VEHICLES AND TRAFFIC
REGULATION.**

Subtitle 1. MOTOR VEHICLE AND TRAFFIC LAWS.

Chapter 2. DEPARTMENT OF MOTOR VEHICLES.

Note: For time spent in war service by motor vehicle inspectors, to be counted in determining seniority, etc., see 1944, c. 86.

R. S. 39:2-2 amended 1944, c. 44.

Chapter 3. MOTOR VEHICLES.

R. S. 39:3-4 amended 1944, c. 5; see 1946, c. 45.

R. S. 39:3-13 “ 1947, c. 247.

R. S. 39:3-20 “ 1946, c. 46, ss. 1, 2.

R. S. 39:3-24 “ 1947, c. 317.

R. S. 39:3-26 “ 1945, c. 265.

R. S. 39:3-33 “ 1943, c. 173; see 1946, c. 45.

R. S. 39:3-34 “ 1942, c. 313; 1945, c. 222, s. 1.

R. S. 39:3-40 “ 1945, c. 222, s. 2; 1947, c. 25.

R. S. 39:3-64 “ 1947, c. 82, ss. 1, 2.

Additional Legislation.

Special licenses to certain minors to drive motor vehicles, in certain agricultural pursuits, provided for, suppl., 1942, c. 324.

Driving privileges, licensed drivers in war service, extended, certain cases, suppl., 1943, c. 98.

Sec. 1 of above amended 1944, c. 38; 1946, c. 3.

Registry fee refund to persons in war service, certain cases, provided for, suppl., 1944, c. 228.

Use of “Press” sign, etc., on motor vehicles, restricted, suppl., 1943, c. 101.

Temporary identification markers, use by veterans on certain motor vehicles, permitted, suppl., 1946, c. 45.

Chapter 4. TRAFFIC REGULATION.

R. S. 39:4-98 amended 1939, c. 211; 1942, c. 325 (1942, c. 325 repealed 1946, c. 8).

Additional Legislation.

Right-of-way of blind persons crossing highway or intersection.
1939, c. 274.

Sec. 1 of above amended 1946, c. 208.

Chapter 5. ENFORCEMENT AND PROCEDURE.

R. S. 39:5-3	amended 1942, c. 334, s. 1.
R. S. 39:5-9	" 1942, c. 334, s. 2.
R. S. 39:5-15	" 1942, c. 334, s. 3.
R. S. 39:5-17	" 1942, c. 334, s. 4.
R. S. 39:5-21	" 1942, c. 334, s. 5.
R. S. 39:5-29	" 1942, c. 334, s. 6.
R. S. 39:5-30	" 1945, c. 256.
R. S. 39:5-36	" 1942, c. 334, s. 7.
R. S. 39:5-40	" 1942, c. 334, s. 8.
R. S. 39:5-41	" 1942, c. 334, s. 9.
R. S. 39:5-42	" 1942, c. 334, s. 10.
R. S. 39:5-44	" 1942, c. 334, s. 11.
R. S. 39:5-45	" 1942, c. 334, s. 12.

**Chapter 5A. (new) APPLICATION OF SUBTITLE TO HIGHWAYS
OWNED BY PUBLIC OR SEMIPUBLIC CORPORATIONS.**

Motor vehicle and traffic laws, when applicable on highways of
public or semipublic, nonprofit institutions or corpora-
tions, suppl., 1945, c. 284.

Subtitle 2. OTHER LAWS REGULATING MOTOR VEHICLES

Chapter 6. FINANCIAL RESPONSIBILITY.

R. S. 39:6-20	amended 1945, c. 189.
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Chapter 10. PURCHASE, SALE AND TRANSFER OF MOTOR VEHICLES

R. S. 39:10-1	amended	1946, c. 136, s. 1.
R. S. 39:10-2	"	1946, c. 136, s. 2.
R. S. 39:10-6	"	1946, c. 136, s. 3.
R. S. 39:10-8	"	1946, c. 136, s. 4.
R. S. 39:10-9	"	1946, c. 136, s. 5.
R. S. 39:10-10	"	1946, c. 136, s. 6.
R. S. 39:10-11	"	1946, c. 136, s. 7.
R. S. 39:10-12	"	1946, c. 136, s. 8.
R. S. 39:10-13	"	1946, c. 136, s. 9.
R. S. 39:10-14	"	1946, c. 136, s. 10.
R. S. 39:10-15	"	1946, c. 136, s. 11.
R. S. 39:10-16	"	1946, c. 136, s. 12.
R. S. 39:10-17	repealed	1946, c. 136, s. 13.
R. S. 39:10-18	amended	1946, c. 136, s. 14.
R. S. 39:10-19	"	1946, c. 136, s. 15.
R. S. 39:10-20	"	1946, c. 136, s. 16.
R. S. 39:10-21	"	1946, c. 136, s. 17.
R. S. 39:10-22	"	1946, c. 136, s. 18.
R. S. 39:10-23	"	1946, c. 136, s. 19.
R. S. 39:10-24	"	1946, c. 136, s. 20.
R. S. 39:10-25	"	1946, c. 136, s. 21.

Title 40. MUNICIPALITIES AND COUNTIES.**Subtitle 1. COUNTIES AND MUNICIPALITIES, GENERALLY.**

Note: For supervision of State Department of Local Government over certain municipalities, see 1938, c. 127, amended 1939, c. 364, 1941, c. 95, repealed 1947, c. 151; see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10, ss. 1 to 16 and 18 to 34 repealed, 1947, c. 151; see 1938, c. 159, repealed 1947, c. 151; for definition of public service in connection with rights, privileges and benefits of honorably discharged veterans, see 1945, c. 175.

Chapter 1. BONDS AND OTHER OBLIGATIONS.

Note: For transfer of powers and duties of State Auditor to State Department of Local Government; for personnel and powers of Funding Commission, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10, ss. 1 to 16 and 18 to 34 repealed, 1947, c. 151; for Federal advances or grants toward financing preparation of plans for public projects, acceptance and repayment, by appropriation or bond issue, provided for, see 1946, c. 101.

R. S. 40:1-16	amended 1947, c. 110, ss. 1, 9.
R. S. 40:1-53	" 1945, c. 221.
R. S. 40:1-57	" 1947, c. 194.
R. S. 40:1-59	" 1947, c. 110, ss. 2, 9.
R. S. 40:1-60	" 1947, c. 110, ss. 3, 9.
R. S. 40:1-63	" 1943, c. 53, s. 1; 1945, c. 26.
R. S. 40:1-67	" 1947, c. 110, ss. 4, 9.
R. S. 40:1-69	" 1947, c. 110, ss. 5, 9.
R. S. 40:1-71	" 1944, c. 235.
R. S. 40:1-74	" 1947, c. 110, ss. 6, 9.
R. S. 40:1-75	" 1947, c. 110, ss. 7, 9.
R. S. 40:1-77	" 1946, c. 260, ss. 6, 9.
R. S. 40:1-81	" 1943, c. 53, s. 2.
R. S. 40:1-83	" 1947, c. 110, ss. 8, 9.
R. S. 40:1-90	" 1943, c. 199.

Additional Legislation.

Purchase and retirement of bonds by counties and municipalities authorized, 1940, c. 240.

Title of above amended 1944, c. 137, s. 1.

Sec. 1 " " " 1944, c. 137, s. 2; 1947, c. 112, ss. 1, 2.

Variances from limits on maturities or on amounts of annual installments of bonds fixed in R. S. 40:1-25, provided for, suppl., 1945, c. 220.

Sec. 1 of above amended 1947, c. 111, ss. 1, 2.

Bonds, etc., for financing, acquisition by municipalities of lands for self-liquidating, redevelopment housing projects deductible from gross municipal debt, suppl., 1946, c. 53.

Reserve fund for future payment of bonds may be established, approval of Division of Local Government required, suppl., 1947, c. 195.

Chapter 2. COUNTY AND MUNICIPAL BUDGETS.

Note: For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10, ss. 1 to 16 and 18 to 34 repealed 1947, c. 151; for municipal airports, operation, etc., as public utility, authorized, see 1946, c. 12; for Federal advances or grants toward financing preparation of plans for public projects, acceptance and repayment, by appropriation or bond issue, provided for, see 1946, c. 101.

Article 1. General Provisions; Application and Construction.

R. S. 40:2-2 amended 1947, c. 113, ss. 1, 16.

Article 2. Adoption; Effect.

R. S. 40:2-7 amended 1947, c. 113, ss. 2, 16.

R. S. 40:2-8 " 1947, c. 113, ss. 3, 16.

R. S. 40:2-9 " 1947, c. 113, ss. 4, 16.

R. S. 40:2-10 " 1947, c. 113, ss. 5, 16.

Additional Legislation.

Debt service for school indebtedness deducted from municipal and added to school budget; certain municipalities, suppl., 1939, c. 32.

Sec. 1 of above amended 1947, c. 16.

Article 3. Form and Content.

R. S. 40:2-14 amended 1947, c. 113, ss. 6, 16.

R. S. 40:2-16 " 1947, c. 113, ss. 7, 16.

R. S. 40:2-17 " 1942, c. 317; 1947, c. 113, ss. 8, 16.

R. S. 40:2-18 " 1947, c. 113, ss. 9, 16.

R. S. 40:2-22 " 1947, c. 113, ss. 10, 16.

R. S. 40:2-23 repealed 1947, c. 113, ss. 15, 16.

R. S. 40:2-25 see 1939, c. 7, s. 2 (amended 1947, c. 115, ss. 1, 2)
to 40:2-28

Additional Legislation.

Cash surpluses, use of as anticipated miscellaneous revenue in budget, 1938, c. 25.

Sec. 1 of above amended 1947, c. 149, ss. 1, 2.

Anticipated, dedicated revenues not capable of accurate estimate, how included in budget and availability for expenditure, suppl., 1942, c. 5.

Sec. 3 of above amended 1947, c. 114, ss. 1, 2.

Budgets in certain municipalities on Atlantic Ocean, reserve for uncollected taxes, waived, certain cases, 1943, c. 184.

Sec. 1 of above amended 1943, c. 210, s. 1.

Sec. 5 " " repealed 1943, c. 210, s. 2.

Public Works Reserve, appropriation, when available for post-war capital purposes, 1945, c. 14.

Municipal budgets, application of certain utility moneys as miscellaneous revenue, upon certain conditions, authorized, suppl., 1947, c. 341.

Article 4. Operation Under Budget.

R. S. 40:2-29 amended 1945, c. 155.

R. S. 40:2-30 " 1943, c. 130.

R. S. 40:2-31 " 1946, c. 14; 1947, c. 113, ss. 11, 16.

Article 5. Borrowing.

R. S. 40:2-47 repealed 1947, c. 113, ss. 15, 16.

Article 6. Action by State Auditor.

R. S. 40:2-52 amended 1947, c. 113, ss. 12, 16.

R. S. 40:2-53 " 1947, c. 113, ss. 13, 16.

R. S. 40:2-54 repealed 1947, c. 113, ss. 15, 16.

R. S. 40:2-55 amended 1947, c. 113, ss. 14, 16.

Article 9. (new) Capital Budgets.

Additional Legislation.

Capital budgets, suppl., 1938, c. 128, s. 5; amended 1947, c. 116, ss. 1, 2.

**Chapter 3. SINKING FUNDS AND SINKING FUND COMMISSIONERS,
IN COUNTIES, MUNICIPALITIES AND SCHOOL DISTRICTS.**

Note: For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10, ss. 1 to 16 and 18 to 34 repealed 1947, c. 151.

R. S. 40:3-3	amended 1947, c. 117, ss. 1, 19.
R. S. 40:3-9	" 1947, c. 117, ss. 2, 19.
R. S. 40:3-10	" 1943, c. 48.
R. S. 40:3-17	" 1947, c. 117, ss. 3, 19.
R. S. 40:3-20	" 1947, c. 117, ss. 4, 19.
R. S. 40:3-23	" 1947, c. 117, ss. 5, 19.
R. S. 40:3-24	" 1947, c. 117, ss. 6, 19.

Chapter 4. AUDITS AND AUDITORS.

Note: For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10, ss. 1 to 16 and 18 to 34 repealed 1947, c. 151; for additional provisions concerning fiscal administration in local governments, see 1938, c. 159, repealed 1947, c. 151.

R. S. 40:4-4	amended 1947, c. 117, ss. 7, 19.
R. S. 40:4-8	" 1947, c. 117, ss. 8, 19.
R. S. 40:4-9	" 1947, c. 117, ss. 9, 19.
R. S. 40:4-12	" 1947, c. 117, ss. 10, 19.
R. S. 40:4-13	" 1947, c. 117, ss. 11, 19.
R. S. 40:4-14	" 1947, c. 117, ss. 12, 19.
R. S. 40:4-15	" 1947, c. 117, ss. 13, 19.

Chapter 5. PUBLIC MONEYS AND FINANCIAL STATEMENTS.

Note: For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10, ss. 1 to 16 and 18 to 34 repealed 1947, c. 151.

R. S. 40:5-8	amended 1947, c. 117, ss. 14, 19.
R. S. 40:5-9	" 1947, c. 117, ss. 15, 19.
R. S. 40:5-12	" 1947, c. 117, ss. 16, 19.
R. S. 40:5-13	" 1944, c. 56; 1947, c. 117, ss. 17, 19.

Chapter 8. AIRPORTS.

Note: For public airports, use of funds under "Federal Airport Act," approval of State Department of Aviation, State Treasurer to be State Agency for such Federal funds, provided for, see 1947, c. 315.

R. S. 40:8-2 amended 1947, c. 85.

Additional Legislation.

Municipal airports, operation, etc., as public utility, authorized, 1946, c. 12.

Chapter 11. OFFICERS AND EMPLOYEES.

Note: For leave of absence for county and municipal employees for military service, see 1941, c. 119, amended 1942, c. 327; for apprentice and on the job training programs for veterans in counties and municipalities, provided for, see 1946, c. 162.

R. S. 40:11-15 amended 1947, c. 231, s. 1.

R. S. 40:11-17 " 1947, c. 363, s. 1.

Additional Legislation.

Effect of 1940 census and reclassification of counties on salaries, number of employees, pensions, etc., 1940, c. 181.

Sec. 1 of above amended 1947, c. 363, s. 2.

Legal aid to police officers and firemen in suits arising from incidents in line of duty, provided for, 1946, c. 67.

Title of above amended 1947, c. 103, s. 1.

Sec. 1 " " " 1947, c. 103, s. 2.

Police and fire departments, delay in qualifying of members by reason of military service, not to affect rights, benefits, etc., provided for, 1946, c. 87.

Group insurance, payment of premiums on, by certain counties, authorized, suppl., 1947, c. 231, s. 2.

Chapter 14A. (new) COUNTY AND MUNICIPAL SEWERAGE AUTHORITIES.

Note: For Sanitary Sewer District Authorities, first- and second-class counties, establishment, powers, duties, etc., see 1946, c. 123.

Sewerage Authorities Law (1946), suppl., 1946, c. 138.

Sec. 4 of above amended 1947, c. 391.

Subtitle 2. COUNTIES.**Part 1. COUNTIES, GENERALLY.**

Note: For time of war service not to be counted in determining maximum age limits for appointment or election to State, county, municipal or school district, office, position, etc., see 1944, c. 98, amended 1946, c. 206; for standard plumbing code, establishment, etc., in certain counties, provided for, see 1946, c. 255, amended 1947, c. 125.

Chapter 20. BOARDS OF CHOSEN FREEHOLDERS.

Note: For establishment and administration of ration banks, accounts, etc., see 1943, c. 142.

- R. S. 40:20-4 amended 1945, c. 121.
- R. S. 40:20-24 " 1942, c. 299.
- R. S. 40:20-72 " 1944, c. 63; 1947, c. 302, s. 1.
- R. S. 40:20-73 " 1945, c. 152; 1947, c. 302, s. 2.
- R. S. 40:20-74 " 1947, c. 302, s. 3.

Additional Legislation.

Compensation of boards of freeholders in certain counties, procedure in respect to fixing, prescribed, suppl., 1947, c. 302, ss. 4-9.

Chapter 21. OFFICERS AND EMPLOYEES.

Note: For deductions from salaries, etc., of employees, provided for, see 1943, c. 69; 1943, c. 102; for deductions for group, accident and sickness insurance premiums from compensation of county officers, employees, etc., authorized, see 1946, c. 7, amended 1947, c. 143; for apprentice and on the job training programs for veterans in counties, provided for, see 1946, c. 162; for notice of death to, and powers and duties of, Coroners, in counties having no Medical Examiner or County Physician, penalty for failure to report death or disturbance of body, etc., provided for, suppl., 1946, c. 275, repealed 1947, c. 404.

- R. S. 40:21-57 amended 1944, c. 61.

Additional Legislation.

County auditor, appointment regulated, suppl., 1944, c. 125.

Chief medical examiners, coroners, morgue keepers, second-class counties, appointment, powers, duties, etc., regulated, 1944, c. 182.

Notice of death to, and powers and duties of County Physicians, in counties having no Medical Examiner, penalty for failure to report death or disturbance of body, etc., provided for, suppl., 1946, c. 304.

1946, c. 304 repealed 1947, c. 403, s. 6.

Notice of death to, and powers and duties of, county physicians thereupon, failures to report deaths, disturbance of bodies, etc., made misdemeanors, suppl., 1947, c. 403.

Chapter 23. GENERAL POWERS.

Note: For standard building code, preparation and interpretation by Department of Economic Development, adoption by counties, provided for, see 1946, c. 120.

- R. S. 40:23-2 amended 1946, c. 24.
R. S. 40:23-6 “ 1947, c. 214.
R. S. 40:23-27 “ 1947, c. 106.

Additional Legislation.

Appropriations by certain counties for junior colleges authorized and validated, 1941, c. 43.

Title of above amended 1947, c. 30, s. 1.

Sec. 1 “ “ “ 1947, c. 30, s. 2.

Leasing of unused road machinery or equipment, in certain cases, authorized, suppl., 1942, c. 320.

Acceptance of gifts, etc., for specific purposes, provided for, 1943, c. 138.

Blood banks, etc., contribution of funds for, by counties, authorized, suppl., 1946, c. 22.

Veterans, certain, care and treatment in county hospitals, provided for, suppl., 1946, c. 73.

Chapter 24. ORDINANCES AND RESOLUTIONS.**Additional Legislation.**

Vote required for adoption of resolutions in absence of member of governing body in active military or naval service of the United States or of this State, 1942, c. 301.

Chapter 25. CONTRACTS.**Additional Legislation.**

Purchases from United States Government by counties, special provisions relating to, suppl., 1945, c. 111.

Chapter 30. DRAINAGE.**Additional Legislation.**

Drainage of lands by counties, provided for, suppl., 1945, c. 112.

Chapter 36A. (new) COUNTY SEWERAGE AUTHORITIES.

Note: For Sewerage Authorities Law (1946), see 1946, c. 138, amended 1947, c. 391.

Sanitary Sewer District Authorities, first- and second-class counties, establishment, powers, duties, etc., 1946, c. 123.

Chapter 37. COUNTY PARKS.**Article 1A. (new) County Park Commissions in General****Additional Legislation.**

Leasing, etc., of real estate to United States Government, etc., terms, etc., provided for, 1943, c. 20.

Contracts by Park Commissions, certain counties, with municipalities, for temporary use of park lands for emergency housing, etc., for veterans, etc., authorized, suppl., 1946, c. 279.

Title of above amended 1946, c. 320, s. 1.

Sec. 1 “ “ “ 1946, c. 320, s. 2; 1947, c. 26.

Article 5. County Parks Established By Referendum

R. S. 40:37-156 amended 1946, c. 27.

Additional Legislation.

Policemen in war service, appointment, etc., substitutes for, provided for, suppl., 1943, c. 55.

County Park Commission employees, deductions and contributions for group insurance, authorized, suppl., 1945, c. 241.

Bond issues by County Park Commissions, provided for, suppl., 1946, c. 267.

County Park Commissions, establishment, powers and duties, referendum, provided for, suppl., 1946, c. 276.

Compensation to municipalities for loss of tax revenue, where lands taken for park purposes, in certain cases, provided for, suppl., 1947, c. 382.

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, amended 1947, c. 363.

Chapter 38. COUNTY CLERKS.

R. S. 40:38-1 amended 1943, c. 21.

R. S. 40:38-5 “ 1944, c. 68; 1947, c. 198.

Additional Legislation.

Employees of County Clerk assigned for service in county courts, salaries fixed, certain second-class counties, suppl., 1944, c. 252.

County Clerks' salaries, certain counties, fixed, suppl., 1945, c. 62.

County Clerks, salaries, counties between 20,000 and 40,000 inhabitants, not on Atlantic Ocean, fixed, suppl., 1946, c. 197.

Chapter 39. REGISTERS OF DEEDS AND MORTGAGES.

R. S. 40:39-2 amended 1943, c. 92.

Chapter 40. CORONERS.

Note: For county physicians, certain counties, notice of death to, and duties of, in certain cases, provided for, see 1946, c. 304, repealed 1947, c. 403.

Additional Legislation.

Notice of death to, and powers and duties of, coroners, in counties having no Medical Examiner or County Physician, penalty for failure to report death or disturbance of body, etc., provided for, suppl., 1946, c. 275.

1946, c. 275 repealed 1947, c. 404, s. 5.

Notice of death to, and powers and duties of, coroners, where no medical examiner or county physician, failures to report deaths, disturbance of bodies, etc., made misdemeanors, suppl., 1947, c. 404.

Chapter 41. SHERIFFS AND CONSTABLES.

R. S. 40:41-2 amended 1943, c. 22, s. 1.

R. S. 40:41-3 " 1943, c. 22, s. 2.

R. S. 40:41-6 " 1944, c. 69; 1947, c. 197.

R. S. 40:41-35 " 1943, c. 68.

Additional Legislation.

Sheriffs' offices, employees of identification bureau, salaries fixed, certain counties, 1943, c. 191.

Sec. 1 of above amended 1947, c. 256, ss. 1, 10.

Sec. 2 " " " 1947, c. 256, ss. 2, 10.

Sec. 5 " " " 1947, c. 256, ss. 3, 10.

Sec. 6 of above amended 1947, c. 256, ss. 4, 10.

Sec. 9 " " " 1947, c. 256, ss. 5, 10.

Sec. 10 " " " 1947, c. 256, ss. 6, 10.

Certain positions reclassified, suppl., 1947, c. 256, ss. 7-10.

Sheriffs' salaries, certain counties, fixed, suppl., 1945, c. 63.

Subtitle 3. MUNICIPALITIES GENERALLY.

Note: For tenure of employees, etc., of joint municipal commissions in war service, provided for, see 1944, c. 249; for time of war service not to be counted in determining maximum age limits for appointment or election to State, county, municipal or school district, office, position, etc., see 1944, c. 98, amended 1946, c. 206; for standard plumbing code, establishment, etc., in certain municipalities, provided for, see 1946, c. 255, amended 1947, c. 125.

Chapter 43. INCORPORATION; NEWLY CREATED MUNICIPALITIES; ANNEXATION; CONSOLIDATION; BOUNDARIES.

Additional Legislation.

Consolidation of borough under Local Government Board with township, terms and effect, provided for, 1945, c. 268.

Chapter 46. OFFICERS AND EMPLOYEES.

Note: For effect of 1940 census and reclassification of counties on salaries, number of employees, pensions, etc., see 1940, c. 181, amended 1947, c. 363; 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, amended 1947, c. 118; for deductions from salaries, etc., of employees, provided for, see 1943, c. 69; 1943, c. 102; for deductions for group, accident and sickness insurance premiums from compensation of municipal officers, employees, etc., authorized, see 1946, c. 7, amended 1947, c. 143; for apprentice and on the job training programs for veterans in municipalities, provided for, see 1946, c. 162.

R. S. 40:46-6.1 amended 1945, c. 138.

R. S. 40:46-23 " 1947, c. 166, s. 1.

R. S. 40:46-26 " 1944, c. 99, s. 1; 1947, c. 33; 1947, c. 166, s. 2.

Additional Legislation.

Salaries of persons holding municipal offices fixed by referendum, increase by ordinance, authorized, 1945, c. 277.

Tax assessor and assistants in certain cities of second class when provided by resolution of governing body subject to referendum, terms of fixed, suppl., 1947, c. 192.

Collectors of taxes, municipalities, grant of tenure in certain cases by referendum, provided for, 1947, c. 350.

Chapter 47. FIRE AND POLICE.

Note: For time spent in war service by policemen and firemen to be counted in determining seniority, etc., see 1944, c. 86; for delay in qualifying of members of police and fire departments by reason of military service not to affect rights, benefits, etc., see 1946, c. 87.

Article 1. Fire and Police Departments.

- R. S. 40:47-3 amended 1945, c. 218.
 R. S. 40:47-4 " 1945, c. 219.
 R. S. 40:47-6 " 1947, c. 292, s. 1.
 R. S. 40:47-8 " 1947, c. 292, s. 2.

Additional Legislation.

Filling vacancies, designation of vacancy filled, temporary appointment for members on military leave of absence, provided for, 1943, c. 163.

Annual State appropriation to municipalities employing full time policemen, firemen, etc., provided for, 1944, c. 254.

Police forces, officers or members, qualifications of residents, in municipalities having less than 2,500 inhabitants, provided for, suppl., 1946, c. 25.

Article 2. Police Departments Only.

Note: For qualifications of residents for officers or members of police force in municipalities having less than 2,500 inhabitants, provided for, see 1946, c. 25.

Article 3. Fire Departments Only.

B. VOLUNTEER COMPANIES.

- R. S. 40:47-27 amended 1945, c. 126.

Additional Legislation.

Insurance protection for volunteer firemen by municipality or fire district, authorized, 1945, c. 47.

D. EXEMPT FIREMEN CERTIFICATES.

- R. S. 40:47-53 amended 1944, c. 246.

F. (new) JOINT FIRE SERVICE BY MUNICIPALITIES.

Additional Legislation.

Joint fire departments, adjoining municipalities, establishment and maintenance, provided for, 1943, c. 206.

Chapter 48. GENERAL POWERS.

Note: For establishment and administration of ration bank accounts, etc., see 1943, c. 142; for acquisition, use and disposition of property, to extinguish exemption from local taxation, provided for, see 1944, c. 206; for standard building code, preparation and interpretation by Department of Economic Development, adoption by municipality, provided for, see 1946, c. 120; for public airports, use of funds under "Federal Airport Act," approval of State Department of Aviation, State Treasurer to be State Agency for such Federal funds, provided for, see 1947, c. 315.

R. S. 40:48-12 amended 1947, c. 117, ss. 18, 19.

Additional Legislation.

Brush, trash, garbage, etc., removal, etc., provided for, suppl., 1943, c. 71.

Appropriation for expenses of rationing boards, etc., provided for, 1943, c. 183.

Appropriations to military service, etc., organizations, authorized, suppl., 1945, c. 45.

Municipal sales tax, imposition by ordinance, certain seaside cities, authorized, suppl., 1945, c. 156.

Municipal and joint municipal Veterans' Service Bureau, establishment, maintenance, etc., authorized, suppl., 1945, c. 266.

Sec. 1 of above amended 1946, c. 39.

Federal advances or grants toward financing preparation of plans for public projects, acceptance and repayment, by appropriation or bond issue, provided for, 1946, c. 101.

Retail sales and services taxes, cities of the fourth class, authorized, subject to referendum, 1947, c. 71.

War Memorials, World War II, by municipalities, authorized, suppl., 1947, c. 335.

Theatre ticket reselling business, licensing and regulation of, authorized, suppl., 1947, c. 385.

Chapter 49. ORDINANCES AND RESOLUTIONS.**Article 2A. (new) Ordinances Enacting Building Codes.****Additional Legislation.**

Ordinances enacting, amending or supplementing, by reference, provided for, 1946, c. 21.

Article 3. Ordinances for Improvements Generally.

R. S. 40:49-6 amended 1945, c. 292.

Chapter 50. CONTRACTS.

Additional Legislation.

Contracts with United States Government or agency, without public advertisement, certain cases, authorized, 1943, c. 198.

Contracts for supplies of fuel for term exceeding fiscal year, authorized, suppl., 1945, c. 158.

Contracts for snow removal for term exceeding fiscal year, authorized, suppl., 1945, c. 160.

Chapter 52. LICENSES.

Note: For regulation of business of public scavengers, licenses, etc., villages in first-class counties, provided for, see 1946, c. 76; for licenses to use or maintain premises as barber shop from State Board of Barbers required, see 1946, c. 133, ss. 1-9, 11, 12; for theatre ticket reselling business, licensing and regulation of, authorized, see 1947, c. 385.

R. S. 40:52-1 amended 1944, c. 245.

Additional Legislation.

Compliance with workmen's compensation compulsory insurance provisions, made condition of municipal license to operate theatres or other amusement businesses, suppl., 1947, c. 296.

Chapter 54. LIBRARIES AND READING ROOMS.

R. S. 40:54-8 amended 1944, c. 49.

R. S. 40:54-35 " 1943, c. 24; 1947, c. 219.

Chapter 60. PUBLIC LANDS AND BUILDINGS.

Note: For Municipal Housing Law (1946), see 1946, c. 79; see 1947, c. 242.

R. S. 40:60-3 amended 1943, c. 39.

R. S. 40:60-26 " 1944, c. 160; 1946, c. 106; 1947, c. 417.

R. S. 40:60-32 " 1944, c. 199.

R. S. 40:60-39 " 1947, c. 305.

Additional Legislation.

Exchange of lands and rights and interests therein, authorized. 1942, c. 199.

Sec. 1 of above amended 1946, c. 157.

Building covenants, conditions and limitations on lands sold by municipality, waiver provided for, suppl., 1943, c. 33.

Title of above amended 1946, c. 140, s. 1.

Sec. 1 " " " 1946, c. 140, s. 2.

Lands, etc., not needed for public use, exchange of, provided for, 1944, c. 77.

Acquisition, use and disposition of property, to extinguish exemption from local taxation, provided for, 1944, c. 206.

Plant management commissions for management and disposal of industrial plants acquired by certain municipalities, establishment, organization and powers, provided for, 1946, c. 245.

Sec. 1 of above amended 1947, c. 361.

Autobus terminals, construction, equipment, maintenance, policing, etc., provided for, 1946, c. 302.

Sale, of certain municipal lands to veterans organizations, authorized, 1947, c. 87.

Leasing of certain municipal real estate to rescue squads, authorized, suppl., 1947, c. 316.

Municipal riparian lands, certain, not needed for public use and purportedly dedicated as a public street, sale of, provided for, 1947, c. 322.

Chapter 61. PUBLIC PARKS AND PLAYGROUNDS.

Additional Legislation.

Public golf courses and recreational, etc., facilities, establishment, maintenance and operation, provided for, 1945, c. 282.

Chapter 62. PUBLIC UTILITIES MUNICIPALLY OWNED.

Additional Legislation.

Water service, extension to schools or municipal buildings, certain cases, provided for, suppl., 1945, c. 37.

Rates for supply of water by certain second class cities to consumers in other municipalities subject to control, etc., of Board of Public Utility Commissioners, provided for, suppl., 1947, c. 295.

Chapter 63. SEWER, DRAINS AND DISPOSAL PLANTS.

Note: For Sewerage Authorities Law (1946), see 1946, c. 138, amended 1947, c. 391.

R. S. 40:63-19 amended 1946, c. 65.

R. S. 40:63-140 repealed 1946, c. 138, s. 34.
to 40:63-167

Chapter 67. STREETS, TUNNELS, BRIDGES AND VIADUCTS

R. S. 40:67-1 amended 1947, c. 365.

Additional Legislation.

Conduits under streets, etc., permission to United States Government to lay, provided for, 1943, c. 209.

Chapter 69. WATERS AND WATERCOURSES.

Note: For plant management commissions for management and disposal of industrial plants acquired by certain municipalities, establishment, organization and powers, provided for, see 1946, c. 245, amended 1947, c. 361.

Additional Legislation.

Water and water power rights and property, acquisition, operation, disposal, etc., of, authorized, 1944, c. 207.

Subtitle 4. COMMISSION FORM OF GOVERNMENT.

Part 1. MUNICIPALITIES GOVERNED BY COMMISSION GOVERNMENT, GENERALLY.

Chapter 72. COMMISSIONERS.

Additional Legislation.

Commissioner as acting recorder, certain cases, provided for, suppl., 1944, c. 236.

Chapter 75. ELECTION OF COMMISSIONERS.

R. S. 40:75-3 amended 1945, c. 8; 1947, c. 406.

R. S. 40:75-9 " 1945, c. 230, s. 1.

R. S. 40:75-22 " 1945, c. 230, s. 2.

Additional Legislation.

Municipal election ballots other than military service ballots, when to be printed, suppl., 1945, c. 29.

Subtitle 5. MUNICIPALITIES GOVERNED BY MUNICIPAL COUNCIL AND MUNICIPAL MANAGER.

Chapter 81. MUNICIPAL COUNCIL.

R. S. 40:81-2 amended 1945, c. 48.

Chapter 82. MUNICIPAL MANAGER.

R. S. 40:82-2 amended 1947, c. 218.

Chapter 83. OFFICERS AND EMPLOYEES.

Additional Legislation.

City engineer, tenure, certain cases, provided for, suppl., 1943, c. 190.

Assessors in certain cities operating under municipal manager form of government, tenure after fifteen consecutive years of service, provided for, 1947, c. 362.

Chapter 84. ELECTIONS.

R. S. 40:84-5 amended 1942, c. 283; 1945, c. 9; 1947, c. 407.

Additional Legislation.

Municipal election ballots other than military service ballots, when to be printed, suppl., 1945, c. 28.

Chapter 85. ABANDONMENT OF MUNICIPAL MANAGER FORM OF GOVERNMENT.

R. S. 40:85-1 amended 1945, c. 2.

Subtitle 6. BOROUGHES.

Chapter 87. OFFICERS.

R. S. 40:87-60 amended 1944, c. 99, s. 2.

Chapter 88. BOROUGH COUNCIL.

Additional Legislation.

Removal of snow, ice and other obstructions from roads and streets, not dedicated, provided for, suppl., 1944, c. 35.

Subtitle 8. CITY REFERENDUM CHARTER ACTS.

Chapter 108. CITIES WITH LESS THAN 12,000 INHABITANTS.

R. S. 40:108-1 1897, c. 30, s. 3 amended 1943, c. 70, s. 2.

R. S. 40:108-1 1897, c. 30, s. 7 " 1943, c. 70, s. 1.

R. S. 40:108-1 1897, c. 30, s. 75 " 1946, c. 271.

Subtitle 11. TOWNSHIPS.

Chapter 144. WARDS.

R. S. 40:144-1 amended 1947, c. 251, s. 1.

R. S. 40:144-11 " 1947, c. 251, s. 2.

Chapter 145. OFFICERS.

R. S. 40:145-13 amended 1944, c. 155; 1946, c. 282.

Additional Legislation.

Tenure in office, certain township treasurers and custodians of school moneys, provided for, 1947, c. 331.

Chapter 146. TOWNSHIP COMMITTEE.

R. S. 40:146-14 amended 1945, c. 297.

R. S. 40:146-15 " 1943, c. 143.

R. S. 40:146-16 " 1943, c. 166, s. 1.

R. S. 40:146-17 repealed 1943, c. 166, s. 2.
to 40:146-19

Additional Legislation.

Township Committee members, salaries, in sixth-class townships on Atlantic Ocean, provided for, 1946, c. 201.

Chapter 148. FINANCES.

R. S. 40:148-5 amended 1945, c. 309.

Chapter 150. STREETS AND HIGHWAYS.

R. S. 40:150-1 amended 1945, c. 35.

Chapter 151. FIRE DISTRICTS.

Note: For insurance protection for volunteer firemen by municipality or fire district, see 1945, c. 47.

R. S. 40:151-25 amended 1943, c. 81.

Chapter 153. ROAD DISTRICTS.

Additional Legislation.

Township road districts, commissioners, funds, provided for, suppl., 1947, c. 49.

Chapter 155. STREET LIGHTING DISTRICTS.

R. S. 40:155-3 amended 1946, c. 68, s. 1.

R. S. 40:155-4 " 1946, c. 68, s. 2.

R. S. 40:155-5 " 1946, c. 68, s. 3.

R. S. 40:155-6 " 1943, c. 83; 1946, c. 68, s. 4.

R. S. 40:155-7 " 1946, c. 68, s. 5.

Subtitle 12. VILLAGES.

Part 2. ACTS RELATING TO ALL VILLAGES.

Chapter 162A. (new) GENERAL POWERS.

Ashes, garbage, etc., collection, removal, etc., of, and regulation of business of public scavengers, licenses, etc., villages in first-class counties, provided for, 1946, c. 76.

Subtitle 13. CITIES.

Chapter 171. OFFICERS.

Additional Legislation.

Mayor, powers of, certain cases, extended, 1944, c. 90.

Boards of tax assessors may be replaced by Tax Assessor and assistants in certain second-class cities, procedure, provided for, suppl., 1947, c. 193.

Secretary to mayor, cities of the second class, authorized, 1947, c. 270.

Secretaries of boards of public safety, appointment, civil service status, provided for, suppl., 1947, c. 332.

Chapter 174. FIRE AND POLICE.

R. S. 40:174-86 1901, c. 22 repealed 1946, c. 254.

Chapter 178. STREETS AND PUBLIC PLACES.

R. S. 40:178-27 1929, c. 142, s. 1 amended 1947, c. 348, s. 1.

R. S. 40:178-28 1929, c. 142, s. 2 " 1947, c. 348, s. 2.

R. S. 40:178-29 1929, c. 142, s. 3 " 1947, c. 348, s. 3.

Additional Legislation.

Subsurface traffic location centers, use of certain public lands for, authorized, 1947, c. 311.

Title 41. OATHS AND AFFIDAVITS.

Chapter 2. WHO MAY ADMINISTER OATHS OR TAKE AFFIDAVITS.

Note: For oaths, affirmations, affidavits and proofs of instruments by persons in military or naval service; taking before commissioned officer, authorized, see 1941, c. 333, amended 1943, c. 156, 1945, c. 234.

R. S. 41:2-4 amended 1944, c. 59, s. 1.

R. S. 41:2-5 " 1944, c. 59, s. 2.

R. S. 41:2-11 " 1944, c. 59, s. 3.

R. S. 41:2-15 " 1944, c. 59, s. 4.

Title 43. PENSIONS AND RETIREMENT AND UNEMPLOYMENT COMPENSATION.

Note: For effect of 1940 census and reclassification of counties on county and municipal pensions, see 1940, c. 181, amended 1947, c. 363; for definition of public service in connection with rights, privileges and benefits of honorably discharged veterans, see 1945, c. 175.

Subtitle 1. GENERAL PROVISIONS.

Chapter 1. ELIGIBILITY FOR PENSION FUND.

Additional Legislation.

Maximum age limit for membership in Pension Fund or Retirement System, time of military service not to be counted in calculating, 1945, c. 305.

Sec. 1 of above amended 1946, c. 308.

Chapter 3. PENSIONERS IN PUBLIC EMPLOYMENT.

R. S. 43:3-5 amended 1946, c. 142.

Chapter 4. VETERANS.

R. S. 43:4-1 amended 1944, c. 211.

R. S. 43:4-2 " 1943, c. 87; 1944, c. 191; 1947, c. 279.

Subtitle 2. STATE PENSIONS AND RETIREMENT.

Chapter 6. COURT OFFICERS AND EMPLOYEES.

Article 1. Judicial Officers.

C. (new) JUDGE OF COURT OF ERRORS AND APPEALS;
FIFTEEN YEARS SERVICE.

Additional Legislation.

Retirement on pension of certain Judges of Court of Errors and Appeals, provided for, suppl., 1946, c. 6.

Chapter 7. OFFICERS AND EMPLOYEES OF PENAL INSTITUTIONS.

Additional Legislation.

Officers and employees of State penal institutions; pensions and prison officers pension fund, 1941, c. 220.

Title of above amended 1943, c. 193, s. 1.

Sec. 2 " " " 1943, c. 193, s. 2.

Sec. 19 " " " 1943, c. 186.

Prison officers' pension fund, withdrawal of veterans from, provided for, suppl., 1946, c. 80.

Subtitle 3. COUNTY PENSIONS AND RETIREMENT.

Chapter 9. PENSIONS PAYABLE FROM PUBLIC FUNDS.

Article 7. (new) County Clerk.

Additional Legislation.

Retirement on pension, certain cases, 1943, c. 194.

Article 8. (new) County Lunatic Asylums or Hospitals for Mental Diseases.

Additional Legislation.

Retirement on pension, superintendents of county mental institutions, in certain cases, authorized, 1947, c. 216.

Chapter 9A. (new) PENSIONS PAYABLE FROM PUBLIC FUNDS WITH CONTRIBUTIONS.

Pensions on retirement of certain Clerks and Deputy Clerks of certain District Courts, provided for, suppl., 1945, c. 281.

Chapter 10. PENSION FUNDS.

Article 1. Employees of County of the First Class Generally.

R. S. 43:10-4 amended 1947, c. 129.

Article 1A. (new) Employees of Counties of Over 800,000 Inhabitants.

Additional Legislation.

Pension fund system established and regulated, 1943, c. 160.

Sec. 6 of above amended 1947, c. 400, s. 1.

Sec. 7 " " " 1944, c. 48.

Sec. 16 " " " 1947, c. 400, s. 2.

Sec. 19 " " " 1944, c. 158.

Sec. 20 " " " 1945, c. 214.

Court attendants, jail and penitentiary guards, in certain counties, compulsory retirement or retention, in certain cases, authorized, suppl., 1947, c. 367, ss. 1, 2.

Article 2. County Detectives in Counties of the First, Second, Third and Fifth Classes.

Additional Legislation.

County detectives, article inapplicable in certain cases, resolution required; existing rights and funds unaffected, suppl., 1947, c. 173.

County detectives, in certain second-class counties, may join pension fund, on certain conditions, suppl., 1947, c. 396.

Article 4. Police of Counties of 200,000 to 400,000 Inhabitants.

Additional Legislation.

Article not applicable to certain members of police departments, suppl., 1945, c. 244.

Article 5. Probation Officers of Counties of Over 83,000 Inhabitants.

R. S. 43:10-57 amended 1944, c. 234.

Additional Legislation.

Probation officers in counties between 275,000 and 400,000 inhabitants, admission to pension fund, provided for, suppl., 1946, c. 215.

County probation officers, article inapplicable in certain cases, resolution required; existing rights and funds unaffected, suppl., 1947, c. 170.

Article 6. Sheriff's Employees in Counties of the First and Second Classes.

Additional Legislation.

Sheriff's employees pension funds, certain counties, membership extended, 1944, c. 229.

Sec. 1 of above amended 1946, c. 216.

Sheriffs' employees, article inapplicable in certain cases, resolution required; existing rights and funds unaffected, suppl., 1947, c. 172.

Article 9. (new) Court Interpreters.

Additional Legislation.

County court interpreters, article inapplicable in certain cases, resolution required; existing rights and funds unaffected, suppl., 1947, c. 174.

Article 10. (new) County Departments of Weights and Measures.

Additional Legislation.

County superintendent or assistant superintendents of weights and measures, article inapplicable in certain cases, resolution required; existing rights and funds unaffected, suppl., 1947, c. 171.

Subtitle 4. MUNICIPAL PENSIONS.

Chapter 12. PENSIONS PAYABLE FROM PUBLIC FUNDS.

Note: For pensions on retirement of certain Clerks and Deputy Clerks of certain District Courts, see 1945, c. 281.

Article 1. City Employees Generally.

R. S. 43:12-1 amended 1947, c. 160.

Article 6. Librarian; Cities of the First Class.

R. S. 43:12-32 amended 1947, c. 309.

Article 11. (new) Township Employees.

Additional Legislation.

Retirement on pension; certain assessors of taxes in townships,
1940, c. 36.

Sec. 1 of above amended 1945, c. 271.

Collector of taxes, certain cases, 1944, c. 154.

Retirement on pension of certain health officers in townships,
authorized, suppl., 1945, c. 287.

Township treasurers may be retired on pension, in certain cases,
1947, c. 221.

Retirement on pension of certain township clerks, authorized,
1947, c. 285.

Article 12. (new) Borough Employees.

Additional Legislation.

Superintendent of public works, certain cases, 1944, c. 223.

Chapter 13. PENSION FUNDS.

Article 2. Employees of Cities of the First Class.

R. S. 43:13-2 amended 1947, c. 387.

Article 4A. (new) Employees of Towns.

Additional Legislation.

Pension funds for employees of certain towns in first-class
counties, established and regulated, suppl., 1943, c. 189.

Article 5. Employees of Villages in Counties of the First Class.

R. S. 43:13-44 amended 1945, c. 213, s. 1.

R. S. 43:13-45 “ 1945, c. 213, s. 2.

R. S. 43:13-46 “ 1945, c. 213, s. 3.

R. S. 43:13-48 “ 1945, c. 213, s. 4.

R. S. 43:13-50 “ 1945, c. 213, s. 5.

Additional Legislation.

"Salary" and "half pay" defined, suppl., 1945, c. 213, s. 6.

Subtitle 5. STATE, COUNTY AND MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM.

Chapter 14. STATE SYSTEM.

Note: For membership in system of employees of State University of New Jersey authorized, see 1945, c. 49; for State employees paid by a county or municipality, under chapter fifteen of Title 43, to receive same benefits as county or municipal employees, also thereunder, provided for, see 1947, c. 286.

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| R. S. 43:14-1 | amended | 1943, c. 119; 1944, c. 201, s. 1; 1945, c. 272. |
| R. S. 43:14-4 | " | 1947, c. 209. |
| R. S. 43:14-14 | " | 1947, c. 411. |
| R. S. 43:14-17 | " | 1944, c. 201, s. 2; 1946, c. 309. |
| R. S. 43:14-22 | see | 1947, c. 308. |
| R. S. 43:14-27 | amended | 1947, c. 289. |
| R. S. 43:14-29 | " | 1942, c. 286; 1944, c. 201, s. 3; 1945, c. 288;
1946, c. 236; 1947, c. 276. |
| R. S. 43:14-32 | " | 1944, c. 193. |
| R. S. 43:14-35 | " | 1947, c. 210. |

Additional Legislation.

New members, heretofore or hereafter enrolled, payment of arrearages to obtain additional benefits, provided for, suppl., 1943, c. 116.

Membership, application for, etc., after induction in military,
etc., service, provided for, suppl., 1943, c. 118.

Secretaries, of system, certain, pension element fixed, 1946,
c. 200.

Employees of public agencies or organizations operating public works, membership in retirement system, provided for, suppl., 1946, c. 280.

Sec. 8 of above amended 1947, c. 147; 1947, c. 176.

Membership credits may be obtained by permanent employees on basis of prior temporary employment, suppl., 1947, c. 211.

Prior service credits, how obtained in certain cases, suppl., 1947, c. 255.

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Credit for prior service, certain employees now in permanent classified service to receive, in certain cases, upon compliance with conditions, suppl., 1947, c. 280.

Restoration of retirement rights of certain employees loaned to Federal government, lapsed or lost during Federal service during World War II emergency, provided for, suppl., 1947, c. 301.

Benefits for time in Federal service to certain employees in State service, conditions under which obtainable, provided for, suppl., 1947, c. 320.

Chapter 15. COUNTY AND MUNICIPAL SYSTEM.

R. S. 43:15-1 amended 1946, c. 90.

R. S. 43:15-2 “ 1945, c. 246; 1947, c. 339.

Additional Legislation.

Membership, application for, etc., after induction in military, etc., service, provided for, suppl., 1943, c. 117.

Employees of certain school districts, membership in pension system, provided for, 1946, c. 135.

County attendance officers, membership in State Employees' Retirement System, provided for, 1946, c. 191.

State employees paid by a county or municipality, under chapter fifteen of Title 43, to receive same benefits as county or municipal employees, also thereunder, provided for, suppl., 1947, c. 286.

**Subtitle 6. PENSION FUND FOR POLICEMEN AND FIREMEN;
TRAFFIC OFFICERS ON COUNTY ROADS.**

Chapter 16. ESTABLISHMENT OF FUND BY REFERENDUM.

R. S. 43:16-1 amended 1944, c. 253, s. 1; 1947, c. 234, s. 1.

R. S. 43:16-2 “ 1944, c. 253, s. 2; 1946, c. 284, s. 1; 1947, c. 234, s. 2.

R. S. 43:16-3 “ 1944, c. 253, s. 3; 1945, c. 150; 1946, c. 284, s. 2; 1947, c. 234, s. 3.

R. S. 43:16-4 “ 1944, c. 253, s. 4; 1946, c. 284, s. 3.

R. S. 43:16-5 “ 1943, c. 27; 1944, c. 253, s. 6; 1947, c. 234, s. 4.

R. S. 43:16-6 “ 1944, c. 253, s. 7.

R. S. 43:16-7 “ 1943, c. 77; 1944, c. 253, s. 8.

R. S. 43:16-11 repealed 1944, c. 253, s. 9.

Additional Legislation.

Definitions and additional provisions, suppl., 1944, c. 253, ss. 5, 10 to 14.

Sec. 12 of above amended 1946, c. 284, s. 4; 1947, c. 234, s. 5.

Assistant police and fire surgeons, first-class cities, membership in pension fund, authorized, 1947, c. 165.

Executive officer, retention in service of, after eligible for retirement, until attaining seventy years of age, provided for, suppl., 1947, c. 395.

Chapter 16A. (new) POLICE AND FIREMEN'S RETIREMENT SYSTEM.

Municipal, county, etc., police and firemen's retirement system, established and regulated, 1944, c. 255.

Sec. 1 of above amended 1945, c. 148, s. 1.

Sec. 3 " " " 1945, c. 148, s. 2.

Sec. 4 " " " 1945, c. 148, s. 3.

Sec. 9 " " " 1945, c. 148, s. 4.

Sec. 10 " " " 1945, c. 148, s. 5.

Sec. 15 " " " 1945, c. 148, s. 6.

Sec. 16 " " " 1945, c. 148, s. 7.

Sec. 20 " " " 1945, c. 148, s. 8.

Sec. 23 " " " 1945, c. 148, s. 9.

Adoption by referendum, effect of, and persons eligible to membership upon, suppl., 1945, c. 148, ss. 10-16.

Membership of members of county police department in system provided for, suppl., 1946, c. 192.

Deputy State Treasurer may be authorized to sit as member of board, in place of State Treasurer, suppl., 1947, c. 217.

Subtitle 9. SOCIAL SECURITY.

Chapter 21. UNEMPLOYMENT COMPENSATION.

R. S. 43:21-3 amended 1945, c. 72.

R. S. 43:21-4 " 1947, c. 35, s. 1.

R. S. 43:21-5 " 1945, c. 73, s. 1; 1945, c. 308, s. 1.

R. S. 43:21-6 " 1945, c. 308, s. 2.

R. S. 43:21-7	amended 1947, c. 35, s. 2.
R. S. 43:21-8	" 1945, c. 73, s. 2.
R. S. 43:21-10	" 1945, c. 203; 1945, c. 308, s. 3.
R. S. 43:21-14	" 1944, c. 80; 1945, c. 307.
R. S. 43:21-16	" 1945, c. 308, s. 4.
R. S. 43:21-19	" 1945, c. 73, s. 3; 1946, c. 37; 1946, c. 278, s. 1; 1947, c. 35, s. 4.
R. S. 43:21-20	repealed 1945, c. 308, s. 5.
R. S. 43:21-21	amended 1945, c. 73, s. 4; 1945, c. 308, s. 6.

Additional Legislation.

Refunds of contributions, certain cases, provided for, suppl., 1944, c. 81.

Sec. 1 of above amended 1947, c. 35, s. 3.

Taking over of Employment Service Division of Commission by Federal agencies, authorized, suppl., 1941, c. 386.

Civil service and pension rights of employees transferred, saved, suppl., 1943, c. 171, and above supplemented.

Agreements, etc., with United States agencies, etc., for veterans placement, payment of veterans' benefits, etc., provided for, suppl., 1944, c. 232.

Title 44. POOR.

Note: For issuance of bonds for relief by municipalities, see 1939, c. 332, amended 1939, c. 395, 1940, c. 185, 1941, c. 107.

Chapter 1. SETTLEMENT AND RELIEF OF POOR; MUNICIPAL, COUNTY OR JOINT COUNTY RELIEF.**Additional Legislation.**

Overseers and deputy overseers of the poor abolished, transfer of functions, powers, duties, etc., to Director of Welfare, existing officers saved, suppl., 1946, c. 110.

Chapter 3. MUNICIPAL ALMSHOUSES.

R. S. 44:3-1 amended 1947, c. 184.

Chapter 4. SETTLEMENT AND RELIEF OF POOR; COUNTY REFERENDUM LAW.

R. S. 44:4-1 amended 1947, c. 373.

R. S. 44:4-28 " 1943, c. 112.

R. S. 44:4-93 " 1946, c. 297.

Additional Legislation.

Liens for cost of care and maintenance at county welfare house or of permanent outdoor support against recipient and his estate, creation, record and enforcement, provided for, suppl. 1946, c. 175.

Chapter 5. MEDICAL CARE AND HOSPITALIZATION OF POOR IN GENERAL.

R. S. 44:5-16 amended 1947, c. 336.

Chapter 6. FREE DENTAL CLINICS.**Additional Legislation.**

Appropriations by counties for dental clinics for indigent children, provided for, suppl., 1944, c. 224.

Chapter 7. OLD AGE ASSISTANCE.

R. S. 44:7-1 amended 1943, c. 164, s. 1.

R. S. 44:7-3 " 1943, c. 164, s. 2.

R. S. 44:7-5 " 1943, c. 164, s. 3; 1944, c. 84, s. 1.

R. S. 44:7-12 " 1943, c. 164, s. 4; 1944, c. 84, s. 2.

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R. S. 44:7-14	amended 1943, c. 164, s. 5; 1945, c. 273, s. 1.
R. S. 44:7-15	" 1945, c. 273, s. 2; 1947, c. 370.
R. S. 44:7-18	" 1943, c. 164, s. 6; 1944, c. 84, s. 3.
R. S. 44:7-19	" 1943, c. 164, s. 7.
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R. S. 44:7-30	" 1943, c. 164, s. 10.
R. S. 44:7-32	" 1943, c. 164, s. 11.

Chapter 8. FINANCIAL ASSISTANCE TO CERTAIN NEEDY PERSONS.

Note: For food stamps, etc., misuse of, prohibited, see 1941, c. 204, s. 1 amended 1942, c. 315, s. 1, s. 2 repealed 1942, c. 315, s. 2.

Additional Legislation.

State Municipal Aid Administration, 1940, c. 151.

Sec. 2 of above amended 1942, c. 340, s. 1.

Sec. 3 " " " 1942, c. 340, s. 2.

Administration of State aid for relief law (1941) 1941, c. 28.

Sec. 9 of above amended 1943, c. 11.

Sec. 12 " " " 1944, c. 162.

Physical rehabilitation of persons rejected for service in the armed forces of the United States by reason of physical disability, by State Municipal Aid Administration, provided for, 1942, c. 306.

"General Public Assistance Law," State aid to certain counties and municipalities (Revision), 1947, c. 156.

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.

Sec. 1 of above amended 1947, c. 120, s. 1.

Sec. 20 " " " 1947, c. 120, s. 2.

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Title 45. PROFESSIONS AND OCCUPATIONS.

Note: For business of selling, etc., motor fuels, etc., at retail, regulated, see 1938, c. 163, amended 1938, c. 204, 1938, c. 401, 1939, c. 62, 1942, c. 260, s. 509 added 1939, c. 63; for renewal or reinstatement of certain licenses, registration certificates or permits to practice profession or engage in occupation, for veterans, provided for, see 1946, c. 51.

Subtitle 1. PROFESSIONS AND OCCUPATIONS REGULATED BY STATE BOARDS OF REGISTRATION AND EXAMINATION.

Chapter 3. ARCHITECTS.

- R. S. 45:3-6 amended 1945, c. 262, s. 1.
 R. S. 45:3-8 “ 1943, c. 75, s. 1.
 R. S. 45:3-9 “ 1943, c. 75, s. 2.
 R. S. 45:3-10 “ 1943, c. 75, s. 3; 1945, c. 262, s. 2.

Chapter 4. BARBERS.

Additional Legislation.

Regulation of barbering, licensing of barbers and creation of State Board of Barber Examiners, etc., 1938, c. 197.

Sec. 1 of above amended 1946, c. 132, s. 1.

Sec. 3 “ “ “ 1946, c. 132, s. 2.

Sec. 5 “ “ “ 1946, c. 132, s. 3.

Sec. 9 “ “ repealed 1946, c. 132, s. 4.

Sec. 10 “ “ “ 1946, c. 132, s. 4.

Sec. 20 “ “ amended 1944, c. 149.

Sec. 22 “ “ “ 1947, c. 304, s. 1.

Sec. 23 “ “ “ 1947, c. 304, s. 2.

Sec. 26 “ “ “ 1946, c. 133, s. 10.

Journeyman's permits heretofore issued, continuance in effect, provided for, suppl., 1946, c. 132, s. 5.

Apprentice certificate heretofore issued, continuance in effect, provided for, suppl., 1946, c. 132, s. 6.

Use or maintenance of premises as barber shop without license prohibited, licenses, issuance, etc., provided for, suppl., 1946, c. 133, ss. 1-9, 11, 12.

Certificates of registration and permits to former holders, upon honorable discharge of applicants from military or naval service of the United States or of this State, provided for, suppl., 1942, c. 322.

Chapter 4A. BEAUTY CULTURE.

R. S. 45:4A-2	amended 1943, c. 9, s. 8; 1946, c. 60, s. 1.
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R. S. 45:4A-8	" 1943, c. 9, s. 9.
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Additional Legislation.

Licenses to practice and practice of beauty culture, regulated,
suppl., 1943, c. 9, ss. 1-7.

Chapter 5. CHIROPODY.

R. S. 45:5-1	amended 1947, c. 355, ss. 1, 7, 8.
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Additional Legislation.

Injunction against unauthorized practitioners, provided for,
suppl., 1943, c. 95, s. 5.

Chapter 6. DENTISTS.

R. S. 45:6-7	amended 1945, c. 193, s. 1.
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Additional Legislation.

Payment of penalty, etc., equivalent to conviction, suppl., 1945,
c. 193, s. 2.

Chapter 8. ENGINEERS, PROFESSIONAL, AND LAND SURVEYORS.**Additional Legislation.**

Practice of professional engineering and land surveying, regulated (Revision, 1938), 1938, c. 342.

Sec. 1 of above amended 1947, c. 60, s. 1.

Sec. 13 " " " 1947, c. 60, s. 2.

Licenses, renewal without fee, holder in war service, provided for, suppl., 1943, c. 90.

"Engineer-in-Training," certificate of registration, provided for, suppl., 1947, c. 59.

Chapter 8A. (new) LIBRARIANS, LIBRARY ASSISTANTS, ETC.

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Chapter 9. MEDICINE AND SURGERY.

R. S. 45:9-1 amended 1946, c. 84, s. 1.

R. S. 45:9-5 " 1946, c. 84, s. 2.

R. S. 45:9-8 " 1942, c. 342; 1944, c. 166, s. 1; 1947, c. 243.

R. S. 45:9-14 " 1943, c. 17.

R. S. 45:9-16 " 1944, c. 166, s. 2.

R. S. 45:9-21 " 1943, c. 74; 1944, c. 167.

Additional Legislation.

Payment of penalty equivalent to conviction, suppl., 1944, c. 166, s. 3.

Chapter 11. NURSES.

Note: For nursing, teaching and practice regulated and controlled (Revision of 1947), see 1947, c. 262.

R. S. 45:11-1 repealed 1947, c. 262, s. 22.
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R. S. 45:11-7 amended 1942, c. 346, s. 1; 1945, c. 13, s. 1; repealed 1947, c. 262, s. 22.

R. S. 45:11-8 repealed 1947, c. 262, s. 22.

R. S. 45:11-9 " 1947, c. 262, s. 22.

R. S. 45:11-10 amended 1942, c. 346, s. 2; repealed 1947, c. 262, s. 22.

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- R. S. 45:11-11 repealed 1945, c. 13, s. 2; 1947, c. 262, s. 22.
R. S. 45:11-12 amended 1942, c. 346, s. 3; repealed 1947, c. 262, s. 22.
R. S. 45:11-13 repealed 1947, c. 262, s. 22.
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R. S. 45:11-19 amended 1942, c. 346, s. 4; repealed 1947, c. 262, s. 22.
R. S. 45:11-20 repealed 1947, c. 262, s. 22.
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Additional Legislation.

Nursing, teaching and practice regulated and controlled
(Revision of 1947) 1947, c. 262, ss. 1-22.

Chapter 14. PHARMACY.

Additional Legislation.

Renewal of certificate of registration of holder in war service,
provided for, suppl., 1944, c. 132.

Sec. 1 of above amended 1945, c. 177, s. 1.

Applicants for registered pharmacists examination, certain ap-
plicants entitled to credit for military service, provided
for, suppl., 1946, c. 177.

**Chapter 15. REAL ESTATE BROKERS, SALESMEN AND
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Licenses, issuance to officers of real estate corporations, certain
cases, provided for, 1943, c. 60.

Real estate brokers' licenses, issuance to certain persons,
authorized, 1945, c. 223.

**Subtitle 2. OCCUPATIONS SUBJECT TO OTHER
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- R. S. 45:18-3 amended 1946, c. 293.

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- R. S. 45:24-9 amended 1943, c. 99.

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Note: For contracts, obligations, pledges, mortgages and conveyances, made by minors over eighteen years of age in connection with certain veterans' loans, made valid and enforceable, see 1946, c. 134, amended 1947, c. 189.

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Releases of and covenants, etc., not to exercise powers, provided for, 1943, c. 57.

Chapter 2B. (new) POWERS OF ATTORNEY.

Powers of attorney by persons in military service, execution, recording, effect, etc., provided, 1943, c. 157.

Title of above amended 1945, c. 233, s. 1.

Sec. 1 " " " 1945, c. 233, s. 2.

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Sec. 6 " " " 1945, c. 233, s. 4.

Chapter 2C. (new) TRUST DEEDS.

Trust deeds by persons in military service, execution, recording, effect, etc., provided, 1943, c. 155.

Sec. 2 of above amended 1945, c. 110.

Chapter 2D. (new) MORTGAGES.

Mortgage to husband and wife, unless otherwise provided, held fully as joint tenants, words of survivorship not required, 1947, c. 206.

Subtitle 2. REAL PROPERTY ONLY.

Chapter 3. ESTATES AND INTERESTS IN REAL PROPERTY AND ALIENATION THEREOF IN GENERAL.

R. S. 46:3-18 amended 1943, c. 145.

Chapter 8. LEASEHOLD ESTATES; LANDLORD AND TENANT.

Termination of tenancies and recovery of possession of demised premises, by landlord, limited and regulated, certain cases, 1945, c. 84.

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Note: For penal sum in bonds secured by mortgages, not required to be expressed, see 1947, c. 337.

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Purchasers of real estate subject to mortgage, liability therefor, when, no implied assumption thereof, suppl., 1947, c. 288.

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Chapter 14. ACKNOWLEDGMENTS AND PROOFS.

Note: For acknowledgment of deeds, etc., by persons in military or naval service, taking before commissioned officer, authorized, see 1941, c. 333, amended 1943, c. 156, 1945, c. 234.

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Note: For provision for recording of liens for cost of care and maintenance or permanent outdoor support furnished to any person, provided for, see 1946, c. 175.

R. S. 46:16-1 amended 1945, c. 275, s. 1.

Additional Legislation.

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Chapter 17. REGISTRATION OF MORTGAGES.

R. S. 46:17-1 amended 1947, c. 351, s. 1.

R. S. 46:17-4 " 1947, c. 351, s. 2.

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R. S. 46:18-8 amended 1945, c. 145; 1947, c. 81.

Chapter 19. MECHANICS OF RECORDATION.

R. S. 46:19-1 amended 1945, c. 275, s. 2.

R. S. 46:19-3 " 1944, c. 36.

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Uniform Trust Receipts Act, 1938, c. 294.

Sec. 13 of above amended 1947, c. 99.

Title 47. PUBLIC RECORDS.

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R. S. 47:2-1 repealed 1945, c. 50, s. 22.

R. S. 47:2-2 " 1945, c. 50, s. 22.

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Title 48. PUBLIC UTILITIES.

Note: For permission to United States Government to lay conduits under streets, etc., when approved by Public Utility Commissioners, authorized, see 1943, c. 209; for collective bargaining, compulsory arbitration, and settlement of labor disputes in public utilities and seizure and operation of public utilities by the State, in certain cases, provided for, see 1946, c. 33, amended 1947, c. 47, 1947, c. 75; for rates for supply of water by certain second-class cities to consumers in other municipalities subject to control, etc., of Board of Public Utility Commissioners, provided for, see 1947, c. 295.

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Article 2. Jurisdiction, Powers and Duties.

- R. S. 48:2-13 amended 1946, c. 219; 1947, c. 162. •
R. S. 48:3-17 " 1947, c. 199.

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Additional Legislation.

Fees and charges, filing, copies, etc., provided for, suppl., 1947, c. 97.

Chapter 3. PUBLIC UTILITIES IN GENERAL.

Article 2. Stocks, Bonds and Other Obligations.

- R. S. 48:3-9 amended 1946, c. 220, ss. 1-2.

Article 3A. (new) Presumption of Consent of Owner From the Use of Highways, etc.

Additional Legislation.

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Chapter 4. AUTO BUSES.

- R. S. 48:4-1 amended 1946, c. 125; 1947, c. 161.
R. S. 48:4-3 " 1946, c. 131.
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Chapter 5. BRIDGE COMPANIES.

- R. S. 48:5-18 amended 1947, c. 401.

Chapter 7. ELECTRIC LIGHT, HEAT AND POWER COMPANIES.

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Chapter 9. GAS COMPANIES.

R. S. 48:9-17 amended 1947, c. 66.

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Note: For extension of time for completion of certain railroads, see 1941, c. 3; 1943, c. 4; 1945, c. 3; 1947, c. 89.

R. S. 48:12-62 amended 1947, c. 178, s. 1.
 R. S. 48:12-70 " 1947, c. 178, s. 3.
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 R. S. 48:12-158 " 1943, c. 150.
 R. S. 48:12-162 repealed 1943, c. 94.

Additional Legislation.

Branch lines to race tracks, authorized, suppl., 1947, c. 17.

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 cases, suppl., 1947, c. 178, s. 2.

Chapter 15. STREET RAILWAYS.

R. S. 48:15-6 amended 1946, c. 287, s. 1.
 R. S. 48:15-13 " 1946, c. 287, s. 2.
 R. S. 48:15-41 " 1946, c. 71.

Additional Legislation.

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 ized to use parallel street in direction opposite to one-way
 street, provided for, suppl., 1947, c. 383.

Chapter 17. TELEGRAPH AND TELEPHONE COMPANIES.

Note: For presumption of consent of owners to placing of certain poles in public places, established after ten years, see 1945, c. 231.

Chapter 21. SOUTH JERSEY TRANSIT AUTHORITY.

Note: For transfer of powers and duties to Department of Economic Development, see 1944, c. 85, amended 1945, c. 128.

R. S. 48:21-1 repealed 1944, c. 85, s. 52.
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Title 50. SHELLFISH.

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Note: For transfer of functions, powers and duties to State Department of Conservation, see 1945, c. 22.

- R. S. 50:1-1 repealed 1945, c. 22, s. 44.
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- R. S. 50:1-23 amended 1947, c. 359.

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- R. S. 50:2-10 amended 1945, c. 38, s. 1.

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- R. S. 50:3-6 amended 1945, c. 38, s. 2.

Article 4. (new) Licensing of Oyster Shuckers and Dealers.

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1943, c. 182, 1944, c. 142; repealed 1945, c. 39, s. 17.

Article 5. (new) Licensing of Oyster Shuckers, Planters and Dealers.

Licensing of oyster shucking houses, oyster planters and oyster dealers, provided for, suppl., 1945, c. 39.

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- R. S. 50:4-1 amended 1943, c. 134.

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Chapter 1. WEIGHTS, MEASURES AND CONTAINERS.

- R. S. 51:1-82 amended 1943, c. 135.

Additional Legislation.

Age limits for weighmasters and weighers during war time, provided for, suppl., 1943, c. 8.

**Title 52. STATE GOVERNMENT, DEPARTMENTS
AND OFFICERS.**

Note: For annual State appropriation to municipalities employing full time policemen, firemen, etc., provided for, see 1944, c. 254.

Subtitle 1. GENERAL PROVISIONS.

Note: For time of war service not to be counted in determining maximum age limits for appointment or election to State office, position, etc., see 1944, c. 98, amended 1946, c. 206.

Chapter 6. COMMISSIONERS OF DEEDS.

R. S. 52:6-12 amended 1947, c. 264, ss. 1, 2.

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Chapter 8. 1837 SURPLUS REVENUE FUND.

R. S. 52:8-6 amended 1946, c. 62.

Chapter 9C. NEW JERSEY COUNCIL.

Note: For transfer of powers and duties to Department of Economic Development, see 1944, c. 85, amended 1945, c. 128.

R. S. 52:9C-1 repealed 1944, c. 85, s. 52.

R. S. 52:9C-2 amended 1943, c. 111; repealed 1944, c. 85, s. 52.

R. S. 52:9C-3 repealed 1944, c. 85, s. 52.

R. S. 52:9C-4 " 1944, c. 85, s. 52.

**Chapter 9G. (new) STATE COMMISSION ON POST-WAR ECONOMIC
WELFARE.**

Commission created, powers and duties, provided for, 1943, c. 192.

Sec. 1 of above amended 1944, c. 94, s. 1.

Sec. 2 " " " 1944, c. 94, s. 2.

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Chapter 9H. (new) STATE FINANCES.

General State Fund to be sole State Fund; single budget and one general appropriation law, provided for, 1945, c. 33.

Chapter 9I. (new) COMMISSION ON STATE TAX POLICY.

Constitution, powers, duties, etc., suppl., 1945, c. 157, ss. 1-6.

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Note: For requirement of submission of bills for appropriation, apportionment or payment of State funds to Emergency State Commission on State Fiscal Affairs, see 1943, c. 2.

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Note: For leave of absence for State employees for military service, see 1941, c. 119, amended 1942, c. 327; for time of war service not to be counted in determining maximum age limits for appointment or election to State office, position, etc., see 1944, c. 98, amended 1946, c. 206; for certain discriminatory practices in employment and otherwise, prohibited and Division Against Discrimination in the State Department of Education, established, see 1945, c. 169, amended 1947, c. 155; for apprentice and on the job training programs for veterans in State Departments, provided for, see 1946, c. 162.

Article 1. Co-operation between Departments.

Additional Legislation.

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Article 3. Salaries, etc., of Officers and Employees in general.

Additional Legislation.

Deductions from salaries, etc., of employees, provided for, 1943, c. 69; 1943, c. 102.

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Rate of mileage for use of private car by State officer or employee, fixed, 1943, c. 188.

Specific statutory maxima and minima of salaries and salary increases for State employees, abolished, salary ranges to be established by Civil Service Commission, 1945, c. 86.

Deductions for group, accident and sickness insurance premiums from compensation of State officers, employees, etc., authorized, 1946, c. 7.

Sec. 1 of above amended 1947, c. 143.

Leave of absence from office on appointment to other office, 1947, c. 14.

Article 6. Investment of Moneys.

- R. S. 52:14-31 see 1947, c. 308.
R. S. 52:14-33 amended 1944, c. 13.

Article 8A. (new) Rationing Provisions.

Additional Legislation.

Ration bank accounts, etc., authority to establish and administer, provided for, 1943, c. 142.

Article 9. (new) Post-War Reserve Account.

Additional Legislation.

"Post-war reserve account" in general State fund, creation, etc., provided for, 1944, c. 218.

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- R. S. 52:15-3 amended 1945, c. 88.

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Governor, legal counsel, provided for, suppl., 1947, c. 5.

Chapter 16. SECRETARY OF STATE AND REGISTER OF PREROGATIVE COURT.

- R. S. 52:16-3 amended 1945, c. 90.

Chapter 17. ATTORNEY GENERAL.

Note: For 1939, c. 101, repealed, see 1944, c. 20, s. 20.

- R. S. 52:17-1 repealed 1944, c. 20, s. 20.
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Department of Law, established, powers, etc., 1944, c. 20, ss. 1-19.

Chapter 18. STATE TREASURER.

Note: For certain employees under Civil Service, see 1946, c. 198.

- R. S. 52:18-1 amended 1945, c. 89.
R. S. 52:18-18 " 1944, c. 79.
R. S. 52:18-22 repealed 1944, c. 112, art. 8, s. 10.
R. S. 52:18-23 " 1944, c. 112, art. 8, s. 10.

Additional Legislation.

Deposit of United States Bonds by the Treasurer in Federal Reserve Bank without the State, in certain cases, authorized, 1942, c. 348.

Investment of certain moneys in United States securities, authorized, 1944, c. 148.

State Treasurer's Seal, style and use, 1945, c. 93.

Unclaimed deposits for railroad construction, investment of by State Treasurer, authorized, 1947, c. 158.

Chapter 19. STATE COMPTROLLER.

Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112, amended 1946, c. 1, 1946, c. 199.

Article 1. In General.

R. S. 52:19-16 repealed 1944, c. 112, art. 8, s. 10.
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Article 2. Division of Accounting.

R. S. 52:19-29 repealed 1944, c. 112, art. 8, s. 10.
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Article 3. (new) Auditing and Preauditing Force.

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Chapter 20. STATE HOUSE COMMISSION.

Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112, amended 1946, c. 1; 1946, c. 199; for legal aid to police officers and firemen in suits arising from incidents in line of duty, provided for, see 1946, c. 67, amended 1947, c. 103.

Article 1. Organization and Personnel.

R. S. 52:20-3 repealed 1944, c. 112, art. 8, s. 10.

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R. S. 52:20-8 repealed 1944, c. 112, art. 8, s. 10,
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R. S. 52:20-16 " 1944, c. 112, art. 8, s. 10.

Chapter 20A. (new) EMERGENCY STATE COMMISSION ON STATE FISCAL AFFAIRS.

Commission established, powers, duties, etc., 1943, c. 2.

Chapter 21. STATE PLANNING BOARD.

Note: For transfer of powers and duties to Department of Economic Development, see 1944, c. 85, amended 1945, c. 128.

R. S. 52:21-1 repealed 1944, c. 85, s. 52.
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Chapter 22. STATE BUDGET AND STATE BUDGET COMMISSIONER.

Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112, amended 1946, c. 1; 1946, c. 199; for fiscal year, Highway Department, fixed, see 1944, c. 159; for Governor's Budget Message to contain all appropriations recommended under one budget, see 1945, c. 33.

R. S. 52:22-1 repealed 1944, c. 112, art. 8, s. 10.
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Chapter 23. COMMISSIONER OF FINANCE.

Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112.

R. S. 52:23-1 repealed 1944, c. 112, art. 8, s. 10.
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Chapter 24. STATE AUDITOR.

Note: For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10, ss. 1 to 16 and 18 to 34 repealed 1947, c. 151.

R. S. 52:24-11 repealed 1947, c. 151, s. 97.

R. S. 52:24-12 " 1938, c. 159, s. 29 (1938, c. 159 repealed
to 52:24-18 1947, c. 151, s. 98).

R. S. 52:24-20 " 1938, c. 159, s. 29 (1938, c. 159 repealed
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Chapter 25. STATE PURCHASING DEPARTMENT.

Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112, amended 1946, c. 1, 1946, c. 199.

Article 2. Organization and Personnel.

R. S. 52:25-7 repealed 1944, c. 112, art. 8, s. 10.
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Article 3. General Powers and Duties of Commissioner.

R. S. 52:25-15 repealed 1944, c. 112, art. 8, s. 10.

Article 4. Standards and Specifications.

R. S. 52:25-17 repealed 1944, c. 112, art. 8, s. 10.
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Article 5. Requisitions and Purchases.

R. S. 52:25-22 repealed 1944, c. 112, art. 8, s. 10.
R. S. 52:25-24 " 1944, c. 112, art. 8, s. 10

Chapter 26. STATE LIBRARY AND PUBLIC LIBRARY COMMISSION.

Note: For transfer of functions, powers, duties, etc., of State Library and Public Library Commission to Division of the State Library, Archives and History in the Department of Education, see 1945, c. 50.

R. S. 52:26-1 repealed 1945, c. 50, s. 22.
R. S. 52:26-4 " 1945, c. 50, s. 22.
R. S. 52:26-6 " 1945, c. 50, s. 22.
R. S. 52:26-7 " 1945, c. 50, s. 22.
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Chapter 27. MUNICIPAL FINANCE COMMISSION.

Note: For personnel and powers of commission, see 1938, c. 158, amended 1942, c. 39, ss. 8 and 12 repealed 1944, c. 112, art. 8, s. 10, ss. 1 to 16 and 18 to 34 repealed 1947, c. 151.

R. S. 52:27-1 amended 1947, c. 119, ss. 1, 6.
R. S. 52:27-4 " 1947, c. 119, ss. 2, 6.
R. S. 52:27-5 " 1947, c. 119, ss. 3, 6.
R. S. 52:27-17 " 1947, c. 54, s. 1.
R. S. 52:27-25 " 1947, c. 54, s. 2.
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R. S. 52:27-43 " 1946, c. 31.
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R. S. 52:27-61 " 1947, c. 119, ss. 4, 6.

Additional Legislation.

Compromise by certain counties of claims for taxes for State, State school or county purposes, etc., authorized, suppl., 1946, c. 35.

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, amended 1947, c. 116; for transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112, amended 1946, c. 1, 1946, c. 199.

Article 1. (new) In General.

Local Government Act (1938), 1938, c. 158.

Secs. 1-7 of above repealed 1947, c. 151, s. 98.

Sec. 8 " " " 1944, c. 112, art. 8, s. 10;
1947, c. 151, s. 98.

Secs. 9-11 " " " 1947, c. 151, s. 98.

Sec. 12 " " " 1944, c. 112, art. 8, s. 10;
1947, c. 151, s. 98.

Secs. 13-16 " " " 1947, c. 151, s. 98.

Secs. 18-34 " " " 1947, c. 151, s. 98.

Powers, etc., Municipal Finance Commission vested in Local Government Board, 1939, c. 385.

1939, c. 385 repealed 1947, c. 119, ss. 5, 6.

Article 2. (new) Fiscal Administration in Local Governments.

Fiscal administration in local governments regulated, 1938, c. 159.

1938, c. 159 repealed 1947, c. 151, s. 98.

Article 3. (new) Municipalities in Unsound Financial Condition.

Supervision over certain municipalities; State Department of Local Government, 1938, c. 127.

1938, c. 127 repealed 1947, c. 151, s. 98.

Sec. 6 (a) Limitation upon counties, suppl., 1939, c. 364,
(added) s. 5 (repealed 1947, c. 151, s. 98); amended
1941, c. 95, s. 5 (repealed 1947, c. 151, s. 98).

Sec. 11 (a) Municipalities under the Municipal Finance
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(repealed 1947, c. 151, s. 98).

Municipalities in unsound fiscal condition; control of revenues and of finances, provided for, suppl., 1941, c. 75.

1941, c. 75 repealed 1947, c. 151, s. 98.

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.

Sec. 4 of above amended 1947, c. 150, ss. 1, 2.

1939, c. 265 repealed 1947, c. 151, s. 98.

Chapter 27B. (new) STATE DEPARTMENT OF TAXATION AND FINANCE.

State Department of Taxation and Finance, establishment, organization and functions, provided for, 1944, c. 112.

Art. 3, sec. 11 of above amended 1946, c. 1; 1946, c. 199.

Cancellation of uncollectible claims for the grant, lease or rental of riparian lands, suppl., 1945, c. 120.

State Purchase Revolving Fund, use to acquire Federal surplus property, authorized, 1946, c. 144.

Chapter 27BB. (new) DEPARTMENT OF TAXATION AND FINANCE—DIVISION OF LOCAL GOVERNMENT.

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Chapter 27C. (new) DEPARTMENT OF ECONOMIC DEVELOPMENT.

Note: For veterans' loans see 1944, c. 126; 1945, c. 185; 1946, c. 121, amended 1947, c. 190; 1946, c. 134, amended 1947, c. 189.

Department of Economic Development, establishment, functions, powers and duties, provided for, 1944, c. 85.

Sec. 3 of above amended 1945, c. 128, s. 1.

Sec. 4 " " " 1945, c. 128, s. 2.

Standard building code, preparation of amendment, etc., by department, adoption by municipalities, counties and State agencies, interpretation, approval of use of structural materials, appliances, etc., provided for, suppl., 1946, c. 120.

Chapter 30. CESSIONS TO THE UNITED STATES.

R. S. 52:30-3 repealed 1944, c. 54.

Chapter 31. STATE PROPERTY IN GENERAL.

Note: For powers of State Department of Taxation and Finance over State property, see 1944, c. 112, amended 1946, c. 1, 1946, c. 199.

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Additional Legislation.

Constitution, functions, powers and duties of Commission,
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Note: For legal aid to police officers and firemen in suits arising from incidents in line of duty, provided for, see 1946, c. 67, amended 1947, c. 103.

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- R. S. 53:1-2 amended 1945, c. 85, s. 1; 1947, c. 65, s. 1.
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Additional Legislation.

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- R. S. 53:1-26 1932, c. 216, repealed 1947, c. 65, s. 7.

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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, amended 1941, c. 254, 1941, c. 421, 1946, c. 285; for municipal sales tax, imposition by ordinance, certain seaside cities, authorized, see 1945, c. 156.

Subtitle 1. DEPARTMENT AND BOARDS FOR THE REVIEW, ASSESSMENT AND COLLECTION OF TAXES.

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Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112, amended 1946, c. 1, 1946, c. 199.

R. S. 54:1-3 repealed 1944, c. 112, art. 8, s. 10.
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Note: For transfer of State Board of Tax Appeals to State Department of Taxation and Finance, see 1944, c. 112, amended 1946, c. 1, 1946, c. 199.

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R. S. 54:2-3 amended 1946, c. 161, s. 1.
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Article 2. Taking of Testimony.

R. S. 54:2-18 amended 1946, c. 161, s. 4.

Article 3. Appeal and Review.

R. S. 54:2-33 amended 1946, c. 161, s. 5.
R. S. 54:2-34 “ 1946, c. 161, s. 6.
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R. S. 54:2-39 “ 1944, c. 240; 1946, c. 161, s. 8.
R. S. 54:2-40 “ 1945, c. 95; 1946, c. 161, s. 9; 1947, c. 246.
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Additional Legislation.

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R. S. 54:3-7 amended 1944, c. 189, s. 1.

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R. S. 54:3-21 " 1945, c. 125.

R. S. 54:3-22 " 1946, c. 161, s. 17.

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Additional Legislation.

Fee for filing petition of appeal, certain cases; first class counties, 1940, c. 71.

Sec. 1 of above amended 1943, c. 61.

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Chapter 4. ASSESSMENT AND COLLECTION OF TAXES.

Note: For extension of time for collection, installment payments, etc., of certain delinquent municipal taxes and liens, see 1941, c. 36; 1942, c. 27; 1943, c. 7; for exemption of lands of Palisades Interstate Park Commission, compensation to municipalities for loss of tax revenue therefrom, provided for, see 1947, c. 73; for compensation to municipalities for loss of tax revenue, where lands taken for park purposes, in certain cases, provided for, see 1947, c. 382.

Article 1. Persons and Property Subject to Taxation.

- R. S. 54:4-1 amended 1942, c. 281, s. 1; 1943, c. 120, s. 1; 1945, c. 163, ss. 1, 9, 10; 1946, c. 159; 1946, c. 242, ss. 1, 2; 1947, c. 413, ss. 14, 17.
- R. S. 54:4-2.1 “ 1944, c. 151.

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Note: For act limiting school debt and appropriations in certain school districts, see 1939, c. 265, amended 1947, c. 150, repealed 1947, c. 51; for acquisition, use and disposition, by municipalities, of property to extinguish exemption from local taxation, provided for, see 1944, c. 206; for exemption of Delaware—New Jersey Crossing and revenues thereof from taxation, see 1946, c. 18.

- R. S. 54:4-3 repealed 1945, c. 163, ss. 2, 9, 10.
- R. S. 54:4-3.1 “ 1945, c. 163, ss. 2, 9, 10.
- R. S. 54:4-3.2 “ 1945, c. 163, ss. 2, 9, 10.
- R. S. 54:4-3.3 amended 1944, c. 24, s. 1.
- R. S. 54:4-3.5 “ 1944, c. 24, s. 2.
- R. S. 54:4-3.8 repealed 1945, c. 163, ss. 2, 9, 10.
- R. S. 54:4-3.9 amended 1947, c. 235.
- R. S. 54:4-3.14 repealed 1945, c. 163, ss. 2, 9, 10.
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- R. S. 54:4-3.22 “ 1945, c. 163, ss. 2, 9, 10.
- R. S. 54:4-3.23 “ 1945, c. 163, ss. 2, 9, 10.

Additional Legislation.

Exemption under R. S. 54:4-3.12 extended to residents serving in armed forces during present war, 1942, c. 70.

Sec. 2 of above amended 1944, c. 71.

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Veterans' loans, certain, held by savings banks, exempt from taxation, suppl., 1945, c. 80.

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Article 4. Assessment of Personal Property.

- R. S. 54:4-9 amended 1942, c. 281, s. 2; 1943, c. 120, s. 2; 1945, c. 163, ss. 3, 9, 10.
- R. S. 54:4-12 " 1945, c. 163, ss. 4, 9, 10.
- R. S. 54:4-14 repealed 1945, c. 163, ss. 2, 9, 10.
- R. S. 54:4-15 " 1945, c. 163, ss. 2, 9, 10.
- R. S. 54:4-16 amended 1945, c. 163, ss. 5, 9, 10.
- R. S. 54:4-18 repealed 1945, c. 163, ss. 2, 9, 10.
- R. S. 54:4-19 " 1945, c. 163, ss. 2, 9, 10.
- R. S. 54:4-19.1 " 1945, c. 163, ss. 2, 9, 10.
- R. S. 54:4-20 amended 1945, c. 132, ss. 9, 16, 17, 18.
- R. S. 54:4-21 repealed 1945, c. 132, ss. 15, 18.
- R. S. 54:4-22 amended 1945, c. 132, ss. 10, 16, 17.

Article 5. Assessment of Real Estate.

- R. S. 54:4-23 amended 1942, c. 281, s. 3; 1943, c. 120, s. 3.
- R. S. 54:4-33 " 1945, c. 163, ss. 6, 9, 10.

Article 6. Completion and Review of Assessments.

- R. S. 54:4-35 amended 1942, c. 281, s. 4; 1943, c. 120, s. 4.
- R. S. 54:4-36 " 1942, c. 281, s. 5; 1943, c. 120, s. 5; 1945, c. 163, ss. 7, 9, 10; 1945, c. 260, s. 2.
- R. S. 54:4-41 " 1942, c. 316, s. 1.
- R. S. 54:4-42 " 1942, c. 316, s. 2.
- R. S. 54:4-47 " 1947, c. 413, ss. 15, 17.
- R. S. 54:4-52 " 1942, c. 316, s. 3; 1945, c. 163, ss. 8, 9, 10.

Additional Legislation.

Reduction of assessments by reason of destruction, etc., or alteration of buildings, etc., certain cases, provided for, suppl., 1945, c. 260, s. 1.

Article 6A. (new) Added Assessment of Real Estate.

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Additional assessment for building improvements made after October 1st of each year, suppl., 1941, c. 397.

Sec. 2 of above amended 1945, c. 137, s. 1.

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Article 6B. (new) Assessment of Omitted Property.**Additional Legislation.**

Assessment of omitted property, procedure, collection of taxes thereon, etc., provided for, suppl., 1947, c. 413, ss. 1-12, 16, 17.

Article 7. Collection, Abatement and Compromise.

- R. S. 54:4-75 amended 1944, c. 46.
 R. S. 54:4-78 " 1944, c. 134.
 R. S. 54:4-91 " 1944, c. 115, ss. 1-3.
 R. S. 54:4-92 repealed 1943, c. 185.
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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.

Sec. 2 of above amended 1947, c. 118, s. 1.

Sec. 8 " " " 1947, c. 118, s. 2.

Sec. 12 " " " 1947, c. 118, s. 3.

Sec. 13 " " " 1947, c. 118, s. 4.

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Chapter 4A. (new) CONTRIBUTIONS IN LIEU OF TAXES.

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Note: For liens and encumbrances of the State, certain, upon premises acquired by municipalities in foreclosure of tax sales certificates, proceedings to extinguish, provided for, see 1947, c. 349.

Article 2. Tax and Other Municipal Liens; Creation.

R. S. 54:5-6 amended 1944, c. 247.

Article 3. Official Searches for Municipal Liens.

R. S. 54:5-13 amended 1944, c. 97; 1947, c. 356, s. 1.

R. S. 54:5-17 " 1947, c. 356, s. 2.

**Article 3A. (new) Official Searches for Improvements Authorized
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Additional Legislation.

Official searches for municipal improvements authorized, not assessed, provided for, suppl., 1946, c. 269.

Article 4. Sale of Real Property to Enforce Liens.

R. S. 54:5-19 amended 1944, c. 108.

R. S. 54:5-20 " 1945, c. 232, s. 1.

R. S. 54:5-21 " 1945, c. 232, s. 2.

R. S. 54:5-23 " 1945, c. 232, s. 3.

R. S. 54:5-25 " 1945, c. 232, s. 4.

R. S. 54:5-39 " 1945, c. 232, s. 5.

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R. S. 54:5-47 amended 1945, c. 232, s. 6.

Additional Legislation.

Municipal purchaser at tax sale entitled to possession, etc., suppl., 1942, c. 54.

Sec. 1 of above amended 1943, c. 144.

Article 9. Suit in Equity to Foreclose Right of Redemption.

Additional Legislation.

Tax lien foreclosures of vacant lands, joinder of actions or causes of action by municipalities, authorized, suppl., 1940, c. 84.

Sec. 1 of above amended 1943, c. 204.

In rem Municipal Tax Lien Foreclosure Act, suppl., 1947, c. 333.

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Article 11. Sale or Exchange by Municipalities of Property Acquired at Tax Sales.

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Tax sale certificates, sale by municipalities, certain cases, provided for, 1943, c. 149.

Sec. 3 of above amended 1947, c. 415, s. 1.

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Chapter 6. MARTIN ACT AND SIMILAR STATUTES.

R. S. 54:6-5 1898, c. 193, s. 12 amended 1944, c. 204.

Subtitle 3. TAXATION OF STOCK OF STATE AND NATIONAL BANKS AND TRUST COMPANIES.

Chapter 9. IMPOSITION AND COLLECTION OF TAX.

R. S. 54:9-5 amended 1946, c. 146, s. 1.

R. S. 54:9-9 " 1947, c. 249.

R. S. 54:9-11 " 1946, c. 146, s. 2.

R. S. 54:9-17 " 1946, c. 146, s. 3.

Subtitle 4. PARTICULAR TAXES ON CORPORATIONS AND OTHERS.

PART 1. PROVISIONS APPLICABLE TO CORPORATIONS GENERALLY.

Chapter 10A. (new) CORPORATION BUSINESS TAX ACT (1945).

Imposition, assessment, collection, etc., of tax, suppl., 1945, c. 162, ss. 1-25, 27-29.

Sec. 4 of above amended 1947, c. 50, s. 1.

Sec. 5 " " " 1947, c. 50, s. 2.

Sec. 10 " " " 1947, c. 50, s. 3.

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**Chapter 18A. (new) TAXATION OF CORPORATIONS, INDIVIDUALS,
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Part 5. TAXATION OF CERTAIN PUBLIC UTILITIES.

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Part 1. TRANSFER INHERITANCE TAX.

Chapter 35. COLLECTION AND ENFORCEMENT OF TAX; REFUNDS.

R. S. 54:35-3 amended 1946, c. 70.

R. S. 54:35-5 " 1946, c. 240; 1947, c. 376, ss. 1, 2.

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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.

Sec. 1 of above amended 1943, c. 38.

Transfer inheritance taxes, expiration of time for assessment and of liens, in certain cases, provided for, suppl., 1947, c. 369, ss. 1, 2.

Chapter 36. ASSESSMENT, COLLECTION AND ENFORCEMENT OF TAXES ON ESTATES SUBJECT TO FUTURE INTERESTS.

R. S. 54:36-6 amended 1943, c. 165.

Part 2. ESTATE TAX.

Chapter 38. IMPOSITION AND COLLECTION OF TAX.

R. S. 54:38-3 amended 1944, c. 75.

Part 3. (new) INHERITANCE AND ESTATE TAXES.

Chapter 38A. (new) COMPROMISES.

Inheritance and estate taxes, compromises of, authorized, 1944, c. 220.

Revision, alteration, compromise and settlement of inheritance and estate taxes, interest and penalties, certain cases, authorized, suppl., 1945, c. 127.

Subtitle 7. TAXATION OF BILLBOARDS AND LICENSING OF OUTDOOR ADVERTISING.

Chapter 40. IMPOSITION AND COLLECTION OF TAX.

Additional Legislation.

Billboard and outdoor license law (1942), 1942, c. 168.

Sec. 1 of above amended 1947, c. 169, s. 1.

Sec. 2 " " " 1947, c. 169, s. 2.

Sec. 3 " " " 1947, c. 169, s. 3.

Sec. 4 " " " 1947, c. 169, s. 4.

Sec. 5 " " " 1947, c. 169, s. 5.

Sec. 7 " " " 1947, c. 169, s. 6.

Sec. 10 " " " 1947, c. 169, s. 7.

Sec. 12 " " " 1947, c. 169, s. 8.

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Sec. 14 of above amended 1947, c. 169, s. 9.
Sec. 16 " " " 1947, c. 169, s. 10.
Sec. 17 " " " 1947, c. 169, s. 11.
Sec. 19 " " " 1947, c. 169, s. 12.
Sec. 20 " " " 1947, c. 169, s. 13.
Sec. 22 " " " 1947, c. 169, s. 14.
Sec. 23 " " " 1947, c. 169, s. 15.
Sec. 24 " " " 1947, c. 169, s. 16.
Sec. 25 " " " 1947, c. 169, s. 17.
Sec. 26 " " " 1947, c. 169, s. 18.
Sec. 27 " " " 1947, c. 169, s. 19.

Subtitle 8. ALCOHOLIC BEVERAGE TAX.

Chapter 41. DEFINITIONS AND GENERAL PROVISIONS.

R. S. 54:41-2 amended 1947, c. 18, s. 1.

Chapter 43. IMPOSITION OF TAX.

R. S. 54:43-1 amended 1947, c. 18, s. 2.

Chapter 45. ADMINISTRATION.

R. S. 54:45-1 amended 1947, c. 250.

Subtitle 9. STATE TAX UNIFORM PROCEDURE LAW.

Chapter 49. PROCEDURE.

Note: For transfer inheritance taxes, expiration of time for assessment and of liens, in certain cases, provided for, see 1947, c. 369.

R. S. 54:49-13 amended 1945, c. 306.

Additional Legislation.

Judgments for corporation taxes, satisfaction on payment, etc., provided for, 1943, c. 10.

Chapter 50. ADMINISTRATION

R. S. 54:50-9 amended 1943, c. 110

Title 55. TENEMENT HOUSES AND PUBLIC HOUSING.**Subtitle 1. TENEMENT HOUSES.****Chapter 2. CONVERTED BUILDINGS; ALTERATIONS; TENEMENTS
UNDER CONSTRUCTION; TIME FOR COMPLIANCE.**

R. S. 55:2-6 amended 1943, c. 67, s. 1.

Chapter 3. PROTECTION FROM FIRE.

R. S. 55:3-1 amended 1947, c. 345, s. 1.
 R. S. 55:3-2 " 1947, c. 345, s. 2.
 R. S. 55:3-8 " 1947, c. 345, s. 3.
 R. S. 55:3-15 " 1947, c. 345, s. 4.
 R. S. 55:3-17 " 1947, c. 345, s. 5.
 R. S. 55:3-23 " 1947, c. 345, s. 6.
 R. S. 55:3-24 " 1943, c. 67, s. 2; 1947, c. 345, s. 7.
 R. S. 55:3-25 " 1947, c. 345, s. 8.
 R. S. 55:3-26 " 1943, c. 67, s. 3; 1947, c. 345, s. 9.
 R. S. 55:3-29 " 1947, c. 345, s. 10.
 R. S. 55:3-30 " 1947, c. 345, s. 11.
 R. S. 55:3-34 " 1947, c. 345, s. 12.
 R. S. 55:3-35 " 1947, c. 345, s. 13.
 R. S. 55:3-39 " 1947, c. 345, s. 14.
 R. S. 55:3-45 " 1947, c. 345, s. 15.
 R. S. 55:3-46 " 1947, c. 345, s. 16.

**Chapter 4. HEIGHT OF TENEMENTS; LOTS, YARDS, SPACES
AND COURTS.**

R. S. 55:4-9 amended 1947, c. 345, s. 17.
 R. S. 55:4-10 " 1943, c. 67, s. 4; 1947, c. 345, s. 18.
 R. S. 55:4-24 " 1943, c. 67, s. 5.
 R. S. 55:4-14 " 1947, c. 345, s. 19.
 R. S. 55:4-15 " 1947, c. 345, s. 20.
 R. S. 55:4-17 " 1947, c. 345, s. 21.

Chapter 5. WINDOWS; ROOMS; LIGHT; VENTILATORS AND VENT SHAFTS.

- R. S. 55:5-4 amended 1943, c. 67, s. 6; 1947, c. 345, s. 22.
 R. S. 55:5-5 " 1947, c. 345, s. 23.
 R. S. 55:5-7 " 1947, c. 345, s. 24.
 R. S. 55:5-13 " 1943, c. 67, s. 7.
 R. S. 55:5-15 " 1947, c. 345, s. 25.
 R. S. 55:5-16 " 1947, c. 345, s. 26.

Chapter 6. CLEANLINESS AND SANITARY CONDITIONS GENERALLY.

- R. S. 55:6-2 amended 1947, c. 345, s. 27.
 R. S. 55:6-6 " 1947, c. 345, s. 28.
 R. S. 55:6-15 " 1943, c. 67, s. 8.
 R. S. 55:6-16 " 1947, c. 345, s. 29.

Chapter 8. WATER-CLOSETS, SINKS, SEWERS, WATER SUPPLY, PLUMBING, AND DRAINAGE.

- R. S. 55:8-2 amended 1947, c. 345, s. 30.
 R. S. 55:8-4 " 1947, c. 345, s. 31.
 R. S. 55:8-10 " 1947, c. 345, s. 32.
 R. S. 55:8-11 " 1947, c. 345, s. 33.
 R. S. 55:8-22 " 1943, c. 67, s. 9.

Chapter 10. FUNCTIONS AND OPERATIONS OF BOARD IN GENERAL

- R. S. 55:10-9 amended 1947, c. 345, s. 34.
 R. S. 55:10-10 " 1943, c. 67, s. 10.

Chapter 13. CONVERSION OF CERTAIN DWELLINGS INTO TENEMENTS.

- R. S. 55:13-2 amended 1947, c. 345, s. 35.

Subtitle 2. PUBLIC HOUSING.

Chapter 14. STATE HOUSING AUTHORITY.

Note: For transfer of powers and duties to Department of Economic Development, see 1944, c. 85, amended 1945, c. 128.

- R. S. 55:14-1 repealed 1944, c. 85, s. 52.
 to 55:14-13

Chapter 14A. (added) LOCAL HOUSING AUTHORITIES LAW.

Civil service protection for certain employees, provided for, suppl., 1943, c. 64; suppl., 1945, c. 147.

Housing authorities, payments in lieu of taxes, studies of housing needs, contracts for Federal aid, cooperation with other housing authorities, authorized, suppl., 1947, c. 374.

Chapter 14C. (new) NATIONAL DEFENSE HOUSING PROJECTS.

Housing projects in connection with national defense activities, provided for, 1941, c. 213.

Title of above amended 1944, c. 19, s. 1.

Sec. 2 " " " 1944, c. 19, s. 2.

Sec. 8 " " " 1944, c. 19, s. 3.

Chapter 14D. (new) REDEVELOPMENT COMPANIES LAW.

Redevelopment companies, incorporation, powers and duties, provided for, 1944, c. 169.

Chapter 14E. (new) URBAN REDEVELOPMENT LAW.

Urban Redevelopment Law (1946), 1946, c. 52.

Chapter 14F. (new) MUNICIPAL HOUSING.

Municipal Housing Law (1946), 1946, c. 79.

Title of above amended 1946, c. 321, s. 1.

Sec. 2 " " " 1946, c. 321, s. 2.

Sec. 4 " " " 1946, c. 321, s. 3.

Sec. 9 " " " 1946, c. 321, s. 5.

Portable, temporary and movable dwellings, zoning and tenement regulations not to apply in certain cases, suppl., 1946, c. 321, s. 1.

Contracts by municipalities jointly, provided for, suppl., 1947, c. 242.

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Chapter 14G. (new) VETERANS' HOUSING.

Veterans' housing; emergency declared; State program to
relieve housing shortage, 1946, c. 323.

Sec. 2 of above amended 1947, c. 52, s. 1.

Sec. 17 " " " 1947, c. 52, s. 2.

Sec. 18 " " " 1947, c. 52, s. 3.

**Title 56. TRADE NAMES, TRADE-MARKS AND
UNFAIR TRADE PRACTICES.**

Chapter 3. LABELS, TRADE NAMES AND TRADE MARKS; BOTTLES,
CANS, CONTAINERS AND OTHER ARTICLES.

R. S. 56:3-3 amended 1947, c. 102, s. 1.

R. S. 56:3-16 " 1947, c. 102, s. 2.

Title 58. WATERS AND WATER SUPPLY.

Note: For acquisition, operation, disposal, etc., of water and water power rights and property, authorized, see 1944, c. 207; for maintenance of certain nuisances affecting health, etc., prohibited, see 1945, c. 192.

Chapter 1. STATE WATER POLICY COMMISSION.

Note: For transfer of functions, powers and duties of State Water Policy Commission to State Department of Conservation, see 1945, c. 22.

R. S. 58:1-1 repealed 1945, c. 22, s. 44.

Chapter 4A. (new) SUBSURFACE AND PERCOLATING WATERS.

Diversion of, in certain areas, regulated, 1947, c. 375.

Well drillers, examining and licensing, Board of Well Drillers created; well drillers required to be licensed, operations subject to supervision, 1947, c. 377.

Chapter 5. NORTH AND SOUTH JERSEY WATER SUPPLY DISTRICTS.

R. S. 58:5-17 amended 1945, c. 195, s. 1.

Additional Legislation.

Acceptance of funds and grants from Federal Government or agency, provided for, suppl., 1945, c. 195, s. 2.

Chapter 11. WATER AND SEWERAGE PLANTS AND SYSTEMS IN GENERAL.

Article 2A. (new) Interconnections Between Approved Public Potable Water Supplies and Unapproved Water Supplies.

Additional Legislation.

Permits for physical connections between approved potable water supplies and unapproved water supplies, required and provided for, 1942, c. 308.

Article 5B. (new) Licensing of Superintendents or Operators of Public Water Treatment Plants, Public Sewage Treatment Plants and Public Water Supply Systems.

Additional Legislation.

Superintendents or operators of water treatment, sewage treatment and water supply, plants and systems, examination and licensing, provided for, 1946, c. 295.

Sec. 3 of above amended 1947, c. 126.

**Chapter 12. SEWERAGE DISTRICTS AND SEWERAGE
DISTRICT BOARDS.**

Note: For Sanitary Sewer District Authorities, first- and second-class counties, establishment, powers, duties, etc., see 1946, c. 123; for Sewerage Authorities Law (1946), see 1946, c. 138, amended 1947, c. 391.

Chapter 14. PASSAIC VALLEY SEWERAGE DISTRICT.

Additional Legislation.

Leases for use of intercepting sewers, regulated and provided for, suppl., 1943, c. 76.

The above supplemented, 1944, c. 214.

Chapter 15. HACKENSACK RIVER SEWERAGE DISTRICT.

R. S. 58:15-1 repealed 1945, c. 300, s. 64.
to 58:15-72

**Chapter 15A. (new) BERGEN-HACKENSACK SANITARY SEWER
DISTRICT.**

District and authority, created, functions, powers and duties, prescribed, suppl., 1945, c. 300.

Chapter 16. PASSAIC VALLEY FLOOD CONTROL COMMISSION.

Note: For transfer of functions, powers and duties to State Department of Conservation, see 1945, c. 22.

R. S. 58:16-2 repealed 1945, c. 22, s. 44.

Chapter 18. (new) DELAWARE RIVER BASIN.

Reciprocal act for use, conservation, protection and equitable diversion of water resources in Delaware River Basin between Pennsylvania, New York and New Jersey, 1944, c. 121.

APPENDIX A

Chapter 4. TAXES, ASSESSMENTS AND PUBLIC REVENUES.

Note: For Delinquent Railroad Tax Adjustment Law (1941), see 1941, c. 290, amended 1942, c. 241.

Article 1. In General.

A. COLLECTION OF TAXES BY RECEIVERSHIP.

Note: For permanent legislation relating to subject, see 1939, c. 362.

Article 2. County and Municipal Finances.

Additional Legislation.

Purchase of Federal current income bonds by counties and municipalities, in certain cases, authorized, 1941, c. 297.

Title of above amended 1942, c. 304, s. 1; 1943, c. 208, s. 1.

Sec. 1 " " " 1942, c. 304, s. 2; 1943, c. 208, s. 2.

Sec. 2 " " " 1942, c. 304, s. 3; 1943, c. 208, s. 3.

Sec. 3 " " " 1942, c. 304, s. 4; 1943, c. 208, s. 4;
1944, c. 250, s. 1.

Funding or refunding of notes or bonds of school districts,
1940, c. 29.

Sec. 1 of above amended 1943, c. 19; 1945, c. 27.

Chapter 7. COMMISSIONER OF BANKING AND INSURANCE; ADDITIONAL POWERS.

App. A:7-15 amended 1945, c. 67; 1946, c. 264.

SCHEDULE 1
TABLE OF ALLOCATION OF 1942 STATUTES
(Chapters 281 to end)

Pamphlet Laws 1942				Allocation in Table of Contents				Pamphlet Laws 1942				Allocation in Table of Contents			
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
281		54	4			316		316		54	4			316	
282		17	4			317		317		40.	2			317	
283		40	84			318		318		*				318	
284		24	10			319		319		18	7			319	
285		*				320		320		40	23			320	
286		43	14			321		321		Val.				321	
287		3	16			322		322		45	4			322	
288		*				323		323		18	20			323	
289		*				324		324		39	3			324	
290		*				325		325		39	4			325	
291		52	19			326		326		38	23			326	
292		*				327		327		38	23			327	
293		Val.				328		328		30	9			328	
294		23	5			329		329		9	2			329	
295		*				330		330		*				330	
296		*				331		331		*				331	
297		2	29			332		332		*				332	
298		2	122A(new)			333		333		2	32			333	
299		40	20			334		334		39	5			334	
300		*				335		335		3	2			335	
301		40	24			336		336		17	4			336	
302		*				337		337		54	29A(new)			337	
303		*				338		338		Val.				338	
304		App. A	4			339		339		*				339	
305		2	202			340	1-2	340	1-2	44	8			340	
306		44	8				3		3	Val.					
307		34	6			341		341		17	4			341	
308		58	11			342		342		45	9			342	
309		26	2			343		343		*				343	
310		*				344		344		38	1			344	
311		Val.				345		345		*				345	
312		*				346		346		45	11			346	
313		39	3			347		347		*				347	
314	1-2	2	205			348		348		52	18			348	
	3-6	2	206			349		349		12	8			349	
315		2	202			350		350		Val.				350	

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 8 following.

SCHEDULE 2
TABLE OF ALLOCATION OF 1943 STATUTES

Pamphlet Laws 1943		Allocation in Table of Contents		Pamphlet Laws 1943		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
1		*		39		40	60
2		52	20A(new)	40		2	192
3		Val.		41		2	190
4		*		42		2	195
5		*		43		2	195
6		*		44		34	2
7		*		45		27	13
8		51	1	46		33	1
9		45	4A	47		33	1
10		54	49	48		40	3
11		44	8	49		9	17
12		2	16	50		Val.	
13		17	34	51		Val.	
14		17	26	52		*	
15		17	34	53		40	1
16		17	34	54		*	
17		45	9	55		40	37
18		*		56		30	9
19		App. A	4	57		46	2A(new)
20		40	37	58		30	9
21		40	38	59		2	212
22		40	41	60		45	15
23		2	7	61		54	3
24		40	54	62		*	
25		Val.		63		54	4
26		*		64		55	14A(added)
27		43	16	65		2	32
28		27	6	66		2	32
29		Val.		67	1	55	2
30		Val.			2-3	55	3
31		*			4-5	55	4
32		2	26		6-7	55	5
33		40	60		8	55	6
34		*			9	55	8
35		*			10	55	10
36		8	2	68		40	41
37		33	1	69		52	14
38		54	35	70		40	108

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 8 following.

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Pamphlet Laws 1943				Allocation in Table of Contents				Pamphlet Laws 1943				Allocation in Table of Contents			
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
71		40	48			43	15			43	14			43	14
72		34	15			43	14			54	4			*	
73		2	32			*				45	4A			*	
74		45	9			*				52	14			*	
75		45	3			*				*				*	
76		58	14			*				30	6A			*	
77		43	16			*				40	2			*	
78		34	2			*				23	9			*	
79		2	47			*				*				*	
80		19	52			*				50	4			*	
81		40	151			*				51	1			*	
82		3	26			*				2	202			*	
83		40	155			*				4	16			*	
84		3	26			*				40	23			*	
85		38	25A(new)			*				*				*	
86		2	213			*				*				*	
87		43	4			*				52	14			*	
88		3	17			*				40	146			*	
89		30	5			*				54	5			*	
90		45	8			*				46	3			*	
91		18	14			*				34	2			*	
92		40	39			*				46	16			*	
93		23	9			*				17	34			*	
94		48	12			*				17	33			*	
95		45	5			*				54	5			*	
96		*				*				48	12			*	
97		9	18			*				*				*	
98		39	3			*				33	1			*	
99		45	24			*				33	1			*	
100		4	12			*				33	1			*	
101		39	3			*				46	2C(new)			*	
102		52	14			*				38	23A(new)			*	
103		*				*				46	2B(new)			*	
104		9	3			*				Val.				*	
105		35	1			*				17	28			*	
106		4	16			*				43	10			*	
107		*				*				Val.				*	
108		*				*								*	
109		*				*								*	
110		54	50			*								*	
111		52	9C			*								*	
112		44	4			*								*	
113		2	85			*								*	
114		2	27			*								*	
115		26	3			*								*	
116		43	14			*								*	

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 8 following.

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Pamphlet Laws 1943		Allocation in Table of Contents		Pamphlet Laws 1943		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
162		*		192		52	9G(new)
163		40	47	193		43	7
164		44	7	194		43	9
165		54	36	195		34	2
166		40	146	196		*	
167		Val.		197		*	
168		Val.		198		40	50
169		Val.		199		40	1
170		14	12	200		11	24A(new)
171		43	21	201	1-2	18	6
172		18	15		3-7	18	7
173		39	3	202		22	2
174		17	18	203		2	32
175		14	8	204		54	5
176		14	8	205		2	202
177		18	10	206		40	47
178		2	26	207		23	4
179		18	13	208		App. A	4
180		18	13	209		40	67
181		18	10	210		40	2
182		50	3	211		*	
183		40	48	212		18	14
184		40	2	213		*	
185		54	4	214		4	1
186		43	7	215		2	27
187		18	5	216		52	14
188		52	14	217		*	
189		43	13	218		19	31
190		40	83	219		19	31A(new)
191		40	41				

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 8 following.

SCHEDULE 3
TABLE OF ALLOCATION OF 1944 STATUTES

Pamphlet Laws 1944		Allocation in Table of Contents		Pamphlet Laws 1944		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
1		Val.		32		2	182
2		Val.		33		*	
3		18	7	34		*	
4		*		35		40	88
5		39	3	36		46	19
6		*		37		27	6
7		19	48	38		39	3
8	1	19	24	39		2	212
	2	19	25	40		*	
	3	19	23	41		*	
9		19	55 (new)	42		*	
10		2	192	43		4	9
11		2	202	44		39	2
12		2	171A (new)	45		19	32
13		52	14	46		54	4
14		2	202	47		27	6
15		*		48		43	10
16		19	14	49		40	54
17		*		50		Val.	
18		*		51		*	
19		55	14C (new)	52		30	4
20	1-19	52	17A (new)	53		2	202
	20	52	17	54		52	30
	20	27	1	55		18	5
	20	11	4	56		40	5
21		3	2	57		*	
22		17	6	58		*	
23		2	212	59		41	2
24		54	4	60		Val.	
25	1	17	8	61		40	21
	2	Val.		62		*	
26		24	18	63		40	20
27	1-26, 28	17	29A (new)	64		11	22
	27	17	29	65	1-4	11	1
28		2	212		5-9	11	2
29		*			10	11	5
30		17	4		11	11	7
31		2	220	66		2	182

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 8 following.

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Pamphlet Laws 1944				Allocation in Table of Contents				Pamphlet Laws 1944				Allocation in Table of Contents			
Chapter	Sec.	Title	Chapter					Chapter	Sec.	Title	Chapter				
67		2	7					100		17	38				
68		40	38					101		17	35				
69		40	41					102		17	48A (new)				
70		26	2					103		*					
71		54	4					104		17	6				
72		17	38					105		1	9				
73		17	34					106		18	14				
74		54	35					107		18	14				
75		54	38					108		54	5				
76		2	60					109		3	2				
77		40	60					110		27	15				
78		23	4					111		23	9				
79		52	18					112	1 (art. 1)	52	27B (new)				
80		43	21						1-8 (art. 2)						
81		43	21						1-38 (art. 3)						
82		17	12						1-4 (art. 4)						
83		35	2						1 (art. 5)						
84		44	7						1-16 (art. 6)						
85	1-51	52	27C (new)						1-6 (art. 7)						
		52	12						1-9 (art. 8)						
		52	38						10 (art. 8)	52	18				
		52	48						10 (art. 8)	52	19				
		52	52			9C			10 (art. 8)	52	20				
		52	52			21			10 (art. 8)	52	22				
		52	55			14			10 (art. 8)	52	23				
86		38	16						10 (art. 8)	52	25				
87		38	23						10 (art. 8)	52	31				
88		34	15						10 (art. 8)	54	1				
89		Val.							10 (art. 8)	52	27A (new)				
90		40	171					113		18	13				
91		Val.						114		3	16				
92		*						115		54	4				
93		*						116		36	1				
94		52	9G (new)					117		Val.					
95		19	55					118		*					
96		2	87					119		*					
97		54	5					120		*					
98		38	23A (new)					121		58	18 (new)				
99	1	40	46					122		*					
	2	40	87					123		*					

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 8 following.

TABLE OF ALLOCATION OF 1944 STATUTES 1591

Pamphlet Laws 1944		Allocation in Table of Contents		Pamphlet Laws 1944		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
124		*		161		Val.	
125		40	21	162		44	8
126		38	23B(new)	163		23	4
127		19	49	164		2	32
128		19	50	165		2	8
129		3	7	166		45	9
130		3	25	167		45	9
131		2	58	168		18	3
132		45	14	169		55	14D(new)
133		2	202	170		*	
134		54	4	171		17	36
135		Val.		172		13	13
136		2	8	173		2	3
137		40	1	174		2	26
138		*		175		17	22
139		16	12	176	1	17	4
140		18	16		2	Val.	
141		19	2	177		18	4
142		50	3	178		19	45
143		16	1	179		*	
144		*		180		18	13
145		*		181		3	8
146		18	13	182		40	21
147		17	6	183		2	32
148		52	18	184		2	32
149		45	4	185		18	13
150		*		186		2	32
151		54	4	187		33	1
152		19	45	188		22	2
153	1	17	28	189		54	3
	2	17	32	190		2	199
154		43	12	191		43	4
155		40	145	192		*	
156		35	2	193		43	14
157		19	13	194		30	5
158		43	10	195		2	121
159		27	1	196		9	6
160		40	60	197		38	20

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 8 following.

1592 TABLE OF ALLOCATION OF 1944 STATUTES

Pamphlet Laws 1944		Allocation in Table of Contents		Pamphlet Laws 1944		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
198		2	184	227		5	5
199		40	60	228		39	3
200		*		229		43	10
201		43	14	230	1-4	19	31A (new)
202		4	1		4	19	15
203		34	8	231		19	23
204		54	6	232		43	21
205		*		233		*	
206		40	60	234		43	10
207		40	69	235		40	1
208		19	55	236		40	72
209		17	16	237		15	15
210		18	14	238		3	7
211		43	4	239		9	3
212		18	14	240		54	2
213		19	52	241		30	6
214		58	14	242		3	42A (new)
215	1	14	2	243		52	7
	2	14	11	244		Val.	
216		33	1	245		40	52
217		18	2	246		40	47
218		52	14	247		54	5
219		*		248		*	
220		54	38A (new)	249		38	16
221		17	34	250		App. A	4
222		*		251		19	31
223		43	12	252		40	38
224		44	6	253		43	16
225		*		254		40	47
226	1-3	18	4A (new)	255		43	16A (new)
	4	18	5				

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 8 following.

SCHEDULE 4

TABLE OF ALLOCATION OF 1945 STATUTES

Pamphlet Laws 1945		Allocation in Table of Contents		Pamphlet Laws 1945		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
1		27	6	38	1	50	2
2		40	85		2	50	3
3		*		39		50	3
4		*		40		19	32
5		*		41		Val.	
6		*		42		18	13
7	1-2	19	23	43		30	9
	3-48	19	55 (new)	44		30	8
8		40	75	45		40	48
9		40	84	46		2	101
10		34	15	47		40	47
11		19	55 (new)	48		40	81
12	1	19	54 (new)	49		18	22
	2	19	55 (new)	50		18	24
13		45	11	51	1-3	18	2
14		40	2		4	18	22
15		11	22		5-12	18	3
16		*			13-14	*	
17		Val.			15	18	22
18		19	31	52		*	
19		19	32	53		34	15
20		27	6	54		38	28 (new)
21		18	13	55		33	1
22		13	1A (new)	56	1-3	19	48
23		17	24		4	19	49
24		*			5-7	19	50
25		17	12		8	19	51
26		40	1		9-10	19	52
27		App. A	4		11	19	32
28		40	84	57		18	13
29		40	75	58		27	1
30		*		59		19	48
31		*		60		*	
32		34	13A (new)	61		2	7
33		52	9H (new)	62		40	38
34		*		63		40	41
35		40	150	64		2	7
36		19	31	65		23	4
37		40	62	66		54	4A (new)

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 8 following.

1594 TABLE OF ALLOCATION OF 1945 STATUTES

Pamphlet Laws 1945				Allocation in Table of Contents				Pamphlet Laws 1945				Allocation in Table of Contents			
Chapter	Sec.	Title	Chapter					Chapter	Sec.	Title	Chapter				
67		App A	7					110		46	2C(new)				
68		19	23					111		40	25				
69		*						112		40	30				
70		19	49					113		3	8				
71		34	9A(new)					114		*					
72		43	21					115		*					
73		43	21					116		23	3				
74	2-3	34	1					117		19	31				
	4-20	34	15					118		Val.					
75		19	31					119		3	7				
76	1-2	19	17					120		52	27B(new)				
	3	19	18					121		40	20				
	4-5	19	23					122		19	48				
77		19	31					123		2	32				
78		*						124		*					
79		2	32					125		54	3				
80		54	4					126		40	47				
81		17	6					127		54	36				
82		17	22					128		52	27C(new)				
83		27	7A(new)					129		2	7				
84		46	8					130		37	2				
85		53	1					131		14	3				
86		52	14					132	1-8	54	18A(new)				
87		17	1						9-10	54	4				
88		52	15						11-13	54	13				
89		52	18						14	54	17				
90		52	16						15	17	32				
91		*								54	13				
92		*								54	17				
93		52	18							54	4				
94		33	4 (new)						16-18	54	18A(new)				
95		54	2					133		18	7				
96		3	7					134		Val.					
97		34	15					135		2	32				
98		4	1					136		2	32				
99		*						137		54	4				
100		2	8					138		40	46				
101		26	4					139		16	15A(new)				
102		26	4					140		17	12				
103		26	4					141		17	12				
104		26	4					142		17	12				
105		38	20					143		17	12				
106		38	18					144		17	12				
107		23	4					145		46	18				
108		*						146		17	12				
109		15	8					147		55	14A(added)				

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 8 following.

TABLE OF ALLOCATION OF 1945 STATUTES 1595

Pamphlet Laws 1945				Allocation in Table of Contents				Pamphlet Laws 1945				Allocation in Table of Contents			
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
148		43	16A (new)	192		26	3B (new)	192		26	3B (new)	192		26	3B (new)
149		30	8	193		45	6	193		45	6	193		45	6
150		43	16	194		3	16	194		3	16	194		3	16
151		*		195		58	5	195		58	5	195		58	5
152		40	20	196		9	3	196		9	3	196		9	3
153		2	192	197		32	1	197		32	1	197		32	1
154		54	5	198		32	10	198		32	10	198		32	10
155		40	2	199		17	9	199		17	9	199		17	9
156		40	48	200		2	10	200		2	10	200		2	10
157	1-6	52	9I (new)	201		38	17	201		38	17	201		38	17
	7	*		202		26	6	202		26	6	202		26	6
158		40	50	203		43	21	203		43	21	203		43	21
159		Val.		204	1	4	1	204	1	4	1	204	1	4	1
160		40	50		2-4	4	5		2-4	4	5		2-4	4	5
161		17	50 (new)	205		*		205		*		205		*	
162		54	10A (new)	206		19	27	206		19	27	206		19	27
163		54	4	207		*		207		*		207		*	
164		*		208		17	4	208		17	4	208		17	4
165		*		209		Val.		209		Val.		209		Val.	
166		*		210		3	2	210		3	2	210		3	2
167		2	24	211		18	2	211		18	2	211		18	2
168		10	1	212		18	22	212		18	22	212		18	22
169	1-27	18	25 (new)	213		43	13	213		43	13	213		43	13
	28	*		214		43	10	214		43	10	214		43	10
170		*		215		18	24	215		18	24	215		18	24
171		10	2	216		*		216		*		216		*	
172		18	14	217		2	114	217		2	114	217		2	114
173		30	9	218		40	47	218		40	47	218		40	47
174		10	1	219		40	47	219		40	47	219		40	47
175		38	23A (new)	220		40	1	220		40	1	220		40	1
176		38	23	221		40	1	221		40	1	221		40	1
177		45	14	222		39	3	222		39	3	222		39	3
178		17	35	223		45	15	223		45	15	223		45	15
179		17	6	224	1-4	17	17	224	1-4	17	17	224	1-4	17	17
180		*			5	17	33		5	17	33		5	17	33
181		30	9		6	17	22		6	17	22		6	17	22
182		Val.		225		17	38	225		17	38	225		17	38
183		9	17	226	1	17	18	226	1	17	18	226	1	17	18
184		19	12		2	17	24		2	17	24		2	17	24
185		38	23B (new)	227		17	35	227		17	35	227		17	35
186		17	18	228		17	34	228		17	34	228		17	34
187		17	34	229		33	1	229		33	1	229		33	1
188		17	38	230		40	75	230		40	75	230		40	75
189		39	6	231		48	3	231		48	3	231		48	3
190		3	16	232		54	5	232		54	5	232		54	5
191		2	176	233		46	2B (new)	233		46	2B (new)	233		46	2B (new)

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 8 following.

1596 TABLE OF ALLOCATION OF 1945 STATUTES

Pamphlet Laws 1945		Allocation in Table of Contents		Pamphlet Laws 1945		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
234		38	23A(new)	274		46	32
235		4	16	275	1	46	16
236		Val.			2	46	19
237		*		276		22	2
238		*		277		40	46
239		*		278		2	8
240		*		279		2	8
241		40	37	280		2	8
242		2	117	281		43	9A(new)
243		Val.		282		40	61
244		43	10	283		2	67
245		*		284		39	5A(new)
246		43	15	285		19	23
247		53	1	286		2	101A(new)
248		9	3	287		43	12
249		Val.		288		43	14
250		2	50	289		2	181
251		*		290		19	23
252		30	9	291		9	18
253		26	6	292		40	49
254		*		293		3	42A(new)
255		*		294		24	10
256		39	5	295		4	12
257		17	2	296		2	178
258		2	27	297		40	146
259		33	1	298		Val.	
260		54	4	299		18	13
261		18	14	300		58	15A(new)
262		45	3	301		26	2A(new)
263		19	13	302		38	17
264		30	5	303		*	
265		39	3	304		19	32
266		40	48	305		43	1
267		*		306		54	49
268		40	43	307		43	21
269		*		308		43	21
270		19	33	309		40	148
271		43	12	310	1-7	52	31
272		43	14		8	*	
273		44	7				

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 8 following.

SCHEDULE 5

TABLE OF ALLOCATION OF 1946 STATUTES

Pamphlet Laws 1946				Allocation in Table of Contents				Pamphlet Laws 1946				Allocation in Table of Contents			
Chapter	Sec.	Title	Chapter					Chapter	Sec.	Title	Chapter				
1		52	27B(new)					26		26	8				
2		*						27		40	37				
3		39	3					28		2	114				
4		Val.						29		18	4				
5		*						30		*					
6		43	6					31		52	27				
7		52	14					32		2	181				
8		39	4					33		17	43				
9		Val.						34		11	22				
10	1	19	2					35		52	27				
	2	19	23					36		*					
	3-11	19	55 (new)					37		43	21				
11	1, 17	19	2					38		34	13B(new)				
	2, 17	19	3					39		40	48				
	3, 17	19	5					40		54	4				
	4, 17	19	6					41		Val.					
	5, 6, 17	19	8					42		27	6				
	7, 17	19	9					43		2	8				
	8-12, 17	19	12					44		*					
	13, 14, 17	19	23					45		39	3				
	15, 17	19	24					46		39	3				
	16	19	2					47		23	5				
	16	19	30					48		23	4				
12		40	8					49		23	3				
13		*						50		23	4				
14		40	2					51		38	23A(new)				
15		6	1					52		55	14E(new)				
16		17	34					53		40	1				
17		19	49					54		32	1				
18		32	11B(new)					55		36	1				
19		2	189					56		17	12A(new)				
20		17	22					57		27	6				
21		40	49					58		17	6				
22		40	23					59		*					
23		*						60		45	4A				
24		40	23					61		14	10				
25		40	47					62		52	8				

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 8 following.

1598 TABLE OF ALLOCATION OF 1946 STATUTES

Pamphlet Laws 1946				Allocation in Table of Contents				Pamphlet Laws 1946				Allocation in Table of Contents			
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
63		18	10					101		40	48				
64		18	14A(new)					102		Val.					
65		40	63					103		23	4				
66		17	22					104		*					
67		40	11					105		*					
68		40	155					106		40	60				
69		2	66					107		24	10A(new)				
70		54	35					108		4	14				
71		48	15					109		21	1A(new)				
72		4	2					110		44	1				
73		40	23					111		*					
74		23	5					112		*					
75		23	9					113		27	6				
76		40	162A(new)					114		27	6				
77		9	18					115		27	6				
78		17	9					116		17	24				
79		55	14F(new)					117		27	6				
80		43	7					118		30	4A(new)				
81		21	3					119		17	34				
82		*						120		52	27C(new)				
83		23	3					121		38	23B(new)				
84		45	9					122		*					
85		38	18					123		40	36A(new)				
86		24	11A(new)					124		18	16				
87		40	11					125		48	4				
88	1-6	18	10					126		18	5				
	7	18	11					127		28	2				
	8, 9	18	14					128		27	6				
	10	18	10					129		36	1				
	10	18	13					130		48	4				
	10	18	14					131		48	4				
	10	18	15					132		45	4				
	10	18	23					133		45	4				
	11	18	10					134		38	23B(new)				
89		54	10A(new)					135		43	15				
90		43	15					136		39	10				
91		*						137		*					
92		34	7					138	1-37	40	14A(new)				
93		*							34	40	63				
94		*						139		27	6				
95		32	2					140		40	60				
96		1	1					141		*					
97		1	1					142		43	3				
98		*						143		*					
99		18	15					144		52	27B(new)				
100		30	1					145	1	18	5				

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 8 following.

TABLE OF ALLOCATION OF 1946 STATUTES 1599

Pamphlet Laws 1946				Allocation in Table of Contents				Pamphlet Laws 1946				Allocation in Table of Contents			
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
145	2-15	18	13	190		2	1	191		43	15	192		43	16A(new)
146		54	9	193		*		194		18	5	195		2	7
147		33	1	196		27	15	197		40	38	198		11	4
148		11	24A(new)	199		52	27B(new)	200		43	14	201		40	146
149		19	31	202		*		203		*		204		*	
150		*		205		38	23A(new)	206		27	14	207		39	4
151		*		208		2	197A(new)	209		18	13	210		26	3
152		19	41	211		18	14	212		54	4	213		18	14
153		18	13	214		2	8	215		43	10	216		43	10
154		17	34	217		18	22	218		2	8	219		48	2
155		2	53	220		48	3	221		*		222		30	9
156		11	22	223		30	3	224		30	6A	225		15	17(new)
157		40	60	226		11	27	227		11	12	228		38	17
158		2	134	229		38	17	230		38	17	231		*	
159		54	4	232		26	6	233		38	17	234		38	7
160		2	29	235		18	13								
161	1-16	54	2												
	17, 18	54	3												
162		38	23A(new)												
163		Val.													
164		Val.													
165		23	4												
166		23	5												
167		5	5												
168		30	6												
169		5	5												
170		5	5												
171		23	4												
172		26	4A(new)												
173		Val.													
174		54	10B(new)												
175		44	4												
176		27	6												
177		45	14												
178		22	2												
179		2	32												
180		22	2												
181		2	32												
182		2	32												
183		2	32												
184		11	2A(new)												
185		37	1												
186		2	212												
187		2	195A(new)												
188		2	16												
189		2	1												

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 8 following.

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Pamphlet Laws 1946				Allocation in Table of Contents				Pamphlet Laws 1946				Allocation in Table of Contents			
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
236		43	14					279		40	37				
237		6	2					280		43	14				
238		*						281		2	60				
239		*						282		40	145				
240		54	35					283		3	25				
241		27	13					284		43	16				
242		54	4					285		17	13				
243		18	21					286		*					
244		*						287		48	15				
245		40	60					288		15	1				
246		33	1					289		18	20				
247		4	5					290		53	1				
248		*						291		17	22				
249	1, 2	34	1					292		2	121				
	3-7	34	7					293		45	18				
250		22	2					294		27	7				
251		22	4					295		58	11				
252		2	23					296		18	14				
253		30	4					297		44	4				
254		40	174					298		32	9				
255		26	3C(new)					299		13	1A(new)				
256		4	23					300		34	15				
257		4	5					301		27	15A(new)				
258		12	6A(new)					302		40	60				
259		17	48A(new)					303		18	20A(new)				
260	1-5	18	5					304		40	21				
	6	40	1					305		Val.					
261	1, 2	19	14					306		30	4				
	3-7	19	23					307		54	10A(new)				
	8	19	45					308		43	1				
262		18	6					309		43	14				
263		34	16					310		17	38				
264		App. A	7					311		17	6				
265		18	4					312		30	4				
266		18	8					313		12	6				
267		40	37					314		12	6				
268		2	153					315		17	4				
269		54	5					316		33	1				
270		18	13					317		17	4				
271		40	108					318		27	19				
272		33	1					319		2	58				
273		*						320		40	37				
274		*						321		55	14F(new)				
275		40	40					322		*					
276		40	37					323		55	14G(new)				
277		Val.						324		*					
278		43	21					325		2	58				

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 8 following.

SCHEDULE 6

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Pamphlet Laws 1947		Allocation in Table of Contents		Pamphlet Laws 1947		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
1		*		37		12	4
2		18	7	38		Val.	
3		*		39		27	16
4		*		40		2	226
5		52	15	41		2	8
6		19	29	42		*	
7		*		43		32	1
8		*		44		32	1
9		Val.		45		7	5
10		36	1	46		2	58
11		*		47		34	13B(new)
12		*		48		23	5
13		*		49		40	153
14		52	14	50		54	10A(new)
15		27	6	51		54	10A(new)
16		40	2	52		55	14G(new)
17		48	12	53		19	14
18	1	54	41	54		52	27
	2	54	43	55		27	6
19		2	114	56		27	6
20		2	114	57		*	
21		*		58		27	6
22		Val.		59		45	8
23		*		60		45	8
24		Val.		61		*	
25		39	3	62		27	15
26		40	37	63		11	27
27		17	2	64		23	3
28		11	20	65		53	1
29		Val.		66		48	9
30		40	23	67		*	
31		34	15	68		23	5
32		*		69		19	37
33		40	46	70		Val.	
34		30	9	71		40	48
35		43	21	72		2	29
36		*		73		54	4A(new)

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 8 following.

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Pamphlet Laws 1947		Allocation in Table of Contents		Pamphlet Laws 1947		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
74		27	6	116		40	2
75		34	13B(new)	117	1-6	40	3
76		*			7-13	40	4
77		1	1		14-17	40	5
78		19	50		18	40	48
79		19	49	118		54	4
80		17	17	119	1-4	52	27
81		46	18		5	52	27A(new)
82		39	3	120		44	8A(new)
83		30	1	121		2	199
84		17	35	122		2	192
85		40	8	123		11	10
86		18	5	124		24	18
87		40	60	125		26	3C(new)
88		*		126		58	11
89		*		127		27	15A(new)
90		17	12A(new)	128		30	5
91		17	9	129		43	10
92		17	9	130		18	14
93		54	3	131		18	13
94		33	1	132		45	8A(new)
95		*		133		18	14
96		*		134		18	7
97		48	2	135		18	7
98		54	2	136		18	12
99		46	35	137		Val.	
100		15	1	138		18	14
101		22	4	139		18	22
102		56	3	140		18	22
103		40	11	141		18	14A(new)
104	1-3, 9	19	14	142		*	
	4-5	19	15	143		52	14
	6-7, 9	19	16	144		18	13
	8, 9	19	23	145		18	7
	9	19	26	146		18	7
105		38	2	147		43	14
106		40	23	148	1	18	2
107		5	5		2	18	4
108	1	38	1		3-4	18	5
	2	38	3		5-9	18	6
109		18	14		10-18	18	7
110		40	1		19	18	11
111		40	1		20-21	18	13
112		40	1		22-24	18	14
113		40	2		25-28	18	15
114		40	2		29-32	18	16
115		40	2	149		40	2

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 8 following.

TABLE OF ALLOCATION OF 1947 STATUTES 1603

Pamphlet Laws 1947				Allocation in Table of Contents				Pamphlet Laws 1947				Allocation in Table of Contents			
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
150		52	27A(new)	186		*									
151		52	27BB(new)	187		Val.									
152		18	7	188		Val.									
153		18	5	189		38	23B(new)								
154		*		190		38	23B(new)								
155		18	25(new)	191		54	30A(new)								
156		44	8	192		40	46								
157		27	6	193		40	171								
158		52	18	194		40	1								
159		23	3	195		40	1								
160		43	12	196		2	7								
161		48	4	197		40	41								
162		48	2	198		40	38								
163		23	3	199		48	3								
164		23	4	200		11	22								
165		43	16	201	1	11	6								
166		40	46		2-4	11	14								
167		19	32		5	11	16								
168	1	19	1	202		2	16								
	2	19	9	203		17	36								
	3-5	19	14	204		*									
	6	19	17	205		2	16								
	7	19	18	206		46	2D(new)								
	8-14	19	23	207		4	5								
	15	19	27	208		2	8								
	16	19	30	209		43	14								
	17-22	19	31	210		43	14								
	23	19	45	211		43	14								
	24-29	19	48	212	1	30	8								
169		54	40		2	*									
170		43	10	213		9	18								
171		43	10	214		40	23								
172		43	10	215		Val.									
173		43	10	216		43	9								
174		43	10	217		43	16A(new)								
175		38	17	218		40	82								
176		43	14	219		40	54								
177		26	1A(new)	220		2	195A(new)								
178		48	12	221		43	12								
179		9	22(new)	222		Val.									
180		9	21(new)	223		2	182								
181		26	3	224		*									
182		*		225		*									
183		*		226		*									
184		44	3	227		46	23								
185		*		228	1-3	2	29								

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 8 following.

1604 TABLE OF ALLOCATION OF 1947 STATUTES

Pamphlet Laws 1947		Allocation in Table of Contents		Pamphlet Laws 1947		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
228	4	*		274		30	4
229		2	29	275		2	32
230		48	4	276		43	14
231		40	11	277		19	31
232		2	6	278		30	8
233		2	61	279		43	4
234		43	16	280		43	14
235		54	4	281		*	
236		8	2	282		32	5A(new)
237		38	17	283	1-3	32	8
238		30	4A(new)		4	32	11A
239		23	4	284		Val.	
240		8	2	285		43	12
241		26	4A(new)	286		43	15
242		55	14F(new)	287	1	4	16
243		45	9		2	*	
244		2	16	288		46	9
245		18	13	289		43	14
246		54	2	290		54	2
247		39	3	291		*	
248		17	22	292		40	47
249		54	9	293		15	8
250		54	45	294		*	
251		40	144	295		40	62
252		30	4	296		40	52
253		2	8	297		23	9
254		30	9	298		Val.	
255		43	14	299		14	7
256		40	41	300		17	12A(new)
257		30	5	301		43	14
258		17	6	302		40	20
259		27	6	303		23	7
260		27	6	304		45	4
261		27	6	305		40	60
262		45	11	306		3	16
263		38	18A(new)	307		18	22
264		52	6	308		17	2
265		Val.		309		43	12
266		*		310		19	31
267		34	15	311		40	178
268		17	6A(new)	312		17	17
269		33	1	313		2	29
270		40	171	314		2	87
271		38	23	315		6	3(new)
272		11	20A(new)	316		40	60
273		*		317		39	3

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 8 following.

TABLE OF ALLOCATION OF 1947 STATUTES 1605

Pamphlet Laws 1947		Allocation in Table of Contents		Pamphlet Laws 1947		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
318		Val.		358		17	24
319		23	4	359		50	1
320		43	14	360		17	29A(new)
321		17	23	361		40	60
322		40	60	362		40	83
323		26	4	363		40	11
324		2	97	364		34	15
325		27	6	365		40	67
326		2	129A(new)	366		Val.	
327		*		367		43	10
328		27	6	368		Val.	
329		27	6	369		54	35
330		32	1	370		44	7
331		40	145	371		*	
332		40	171	372		*	
333		54	5	373		44	4
334		23	4	374		55	14A(new)
335		40	48	375		58	4A(new)
336		44	5	376		54	35
337		2	65	377		58	4A(new)
338		2	187	378		2	181
339		43	15	379		17	29B(new)
340		30	11	380		3	2
341		40	2	381		2	65
342		2	16	382		40	37
343		*		383		48	15
344		2	16	384		3	5A(new)
345	1-16	55	3	385		40	48
	17-21	55	4	386		54	5
	22-26	55	5	387		43	13
	27-29	55	6	388		32	13A(new)
	30-33	55	8	389		*	
	34	55	10	390		21	1A(new)
	35	55	13	391		40	14A(new)
346		18	13	392		*	
347		19	31	393		2	181
348		40	178	394		2	181
349		2	61	395		43	16
350		40	46	396		43	10
351		46	17	397		2	32
352		*		398		3	10
353		20	1	399		2	181
354		2	202	400		43	10
355		45	5	401		48	5
356		54	5	402		2	32
357		2	53	403		40	21

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 8 following.

1606 TABLE OF ALLOCATION OF 1947 STATUTES

Pamphlet Laws 1947		Allocation in Table of Contents		Pamphlet Laws 1947		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
404		40	40	412		*	
405		*		413		54	4
406		40	75	414		19	31
407		40	84	415		54	5
408		37	2	416		2	61
409		3	32	417		40	60
410		2	8	418		*	
411		43	14				

* Omitted from Table as not being general or permanent legislation.

SCHEDULE 7

TABLE OF NUMBERED SECTIONS ADDED TO REVISED
STATUTES (1937)
(1942, C. 281 to end—1943-1947)

Section Added	Title 15.	Act By Which Added
15:15-2		1944, c. 237

SCHEDULE 8

TABLE OF PUBLIC VALIDATING ACTS.

(1942, C. 281 to end—1943-1947)

Title 2. ADMINISTRATION OF CIVIL AND CRIMINAL JUSTICE.

Judicial sales	1944, c. 91
	1945, c. 159
	1946, c. 41
	1946, c. 305
	1947, c. 22
Decrees	1947, c. 222
Service of process	1947, c. 284
Absent defendant proceedings	1947, c. 318

Title 3. ADMINISTRATION OF ESTATES—DECEDENTS AND OTHERS.

Sales of lands by fiduciaries	1946, c. 102
Foreign wills	1947, c. 70

Title 9. CHILDREN—JUVENILE AND DOMESTIC RELATIONS COURTS.

Adoptions validated	1943, c. 50
Bastardy proceedings	1943, c. 51

Title 14. CORPORATIONS, GENERAL.

Leases	1944, c. 1
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Title 16. CORPORATIONS AND ASSOCIATIONS, RELIGIONS.

Conveyances	1947, c. 29
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Title 17. CORPORATIONS AND INSTITUTIONS FOR FINANCE AND INSURANCE.

Banks, trust companies and savings banks, amend- ments, etc., to charters, etc.	1944, c. 25, s. 2
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1610 SCHEDULE OF PUBLIC VALIDATING ACTS

Title 18. EDUCATION.

Proceedings and bonds, school districts	1945, c. 209 1947, c. 9 1947, c. 137
Conveyances, school districts	1947, c. 38

Title 34. LABOR AND WORKMEN'S COMPENSATION.

Workmen's Compensation Funds	1945, c. 10, s. 3
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Title 37. MARRIAGES AND MARRIED PERSONS.

Conveyances by married women and by husband and wife, see under Title 46, this schedule.	
Contracts by married women	1945, c. 130, s. 2
Marriages	1947, c. 215

Title 38. MILITIA—SOLDIERS, SAILORS AND MARINES.

Veterans loans, etc.	1947, c. 188
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Title 40. MUNICIPALITIES AND COUNTIES.

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Borough referendum	1946, c. 277
Counties, conveyances	1946, c. 4
Municipal, bonds, notes, etc.	1946, c. 9
Municipal budgets	1944, c. 60 1945, c. 17
Municipal ordinances	1942, c. 311
Municipal purchases, sales and exchanges of lands	1942, c. 293 1944, c. 89 1944, c. 161 1945, c. 243 1947, c. 298 1947, c. 366
Vacation of streets, etc.	1943, c. 161

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Title 44. POOR.

State Municipal Aid Administration 1942, c. 340, s. 3

Title 46. PROPERTY.

Conveyances, mortgages and assignments, dis-
charges, releases and postponements thereof,
corporate and individual, real and personal
property 1943, c. 3
1943, c. 25
1943, c. 29
1943, c. 30
1943, c. 158
1943, c. 167
1943, c. 168
1944, c. 2
1944, c. 50
1944, c. 117
1944, c. 135
1944, c. 176, s. 2
1944, c. 244
1945, c. 41
1945, c. 182
1945, c. 236
1945, c. 249
1945, c. 298
1947, c. 24
1947, c. 187
1947, c. 368

Title 52. STATE GOVERNMENT, DEPARTMENTS AND OFFICERS.

Acknowledgments, proofs, affidavits, etc., taken by
Masters in Chancery, attorneys-at-law, Commissioners
of Deeds or notaries public 1942, c. 321

Title 54. TAXATION.

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1947, c. 265
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