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1937

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ACTS

OF THE

One Hundred and Sixty-first Legislature

OF THE

STATE OF NEW JERSEY

AND

Ninety-third Under the New Constitution

Preceded by an Additional Act of 1936
(Chapter 270)

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ADDITIONAL LAW OF 1936

CHAPTER 270

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

THOMAS A. MATHIS,
Secretary of State.

ADDITIONAL ACT

PASSED BY

The One Hundred and Sixtieth Legislature

CHAPTER 270

AN ACT to provide for the establishment and administration of unemployment compensation, providing for the levy and collection of contributions therefor, providing penalties and making appropriations.

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

SHORT TITLE

Title.

1. This act shall be known and may be cited as the "Unemployment Compensation Law."

DECLARATION OF STATE PUBLIC POLICY

Objects of act.

2. As a guide to the interpretation and application of this act, the public policy of this State is declared to be as follows: Economic insecurity due to unemployment is a serious menace to the health, morals, and welfare of the people of this State. Involuntary unemployment is therefore a subject of general interest and concern which requires appropriate action by the Legislature to prevent its spread and to lighten its burden which now so often falls with crushing force upon the unemployed worker and his family. The achieve-

ment of social security requires protection against this greatest hazard of our economic life. This can be provided by encouraging employers to provide more stable employment and by the systematic accumulation of funds during periods of employment to provide benefits for periods of unemployment, thus maintaining purchasing power and limiting the serious social consequences of poor relief assistance. The Legislature, therefore, declares that in its considered judgment the public good, and the general welfare of the citizens of this State requires the enactment of this measure, under the police powers of the State, for the compulsory setting aside of unemployment reserves to be used for the benefit of persons unemployed after qualifying periods of employment.

Welfare requires enactment.

BENEFITS

When payment of benefits begin.

3. (a) Payment of benefits.—Twenty-five months after the date when contributions first accrue under this act, benefits shall become payable from the fund. All benefits shall be paid through employment offices, or such other agencies as may be designated in accordance with such regulations as may be prescribed hereunder.

Weekly benefit.

(b) Weekly benefit amount for total unemployment.—Each eligible individual who is totally unemployed (as defined in section nineteen (m)) in any week shall be paid with respect to such week, benefits (computed to the next highest multiple of twenty cents ($0.20)) at the rate of fifty per centum (50%) of his full-time weekly wages but not more than fifteen dollars ($15.00) per week, nor less than either five dollars ($5.00) or three-fourths of his full-time weekly wage, whichever is the lesser.

Full weekly wage.

(c) Determination of full-time weekly wage.—(1) The full-time weekly wage of any individual means the weekly wages that such individual would receive if he were employed at his most recent wage rate during his base year and for the customary scheduled full-time week prevailing for his occu-

pation in the enterprise in which he last earned wages during his base year.

Determination of weekly wage.

(2) If the commission finds that the full-time weekly wage, as above defined, would be unreasonable or arbitrary or not readily determinable with respect to any individual, the full-time weekly wage of such individual shall be deemed to be one-thirteenth of his total wages in that quarter in which such total wages were highest during the first eight out of the last nine completed calendar quarters immediately preceding the first day of his benefit year.

Total payments.

(d) Duration of benefits.—The maximum total amount of benefits payable to any eligible individual during any benefit year shall not exceed one-sixth of his total wages during his base year or sixteen times his weekly benefit amount, whichever is the lesser.

BENEFIT ELIGIBILITY CONDITIONS

Eligibility to receive benefits: Registration;

4. An unemployed individual shall be eligible to receive benefits with respect to any week only if it appears that—(a) He has registered for work at and thereafter has continued to report at an employment office in accordance with such regulations as the commission may prescribe.

Claim;

(b) He has made a claim for benefits in accordance with the provisions of section six (a) of this act.

Ability;

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

Waiting period.

(d) Prior to any week for which he claims benefits he has been totally unemployed for a waiting period of two weeks, which said weeks need not be consecutive. No week shall be counted as a week of total unemployment for the purposes of this subsection:

Total unemployment:

Benefits paid;

(1) if benefits have been paid with respect thereto;

Eligibility;

(2) unless the individual was eligible for benefits with respect thereto in all respects except for the requirements of subsections (b) and (e) of this section;

Consecutive period;

(3) unless it occurs within the thirteen consecutive weeks preceding the week for which he claims benefits; *provided,* that this condition shall not interrupt the payment of benefits for consecutive weeks of unemployment, nor require any individual who, prior to the first day of his benefit year, shall have accumulated such two waiting period weeks, to accumulate more than three additional waiting period weeks during his ensuing benefit year;

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After benefits;

(4) unless it occurs after benefits first could become payable to any individual under this act;

Earnings.

(e) He has within his base year earned wages of not less than sixteen times his weekly benefit amount.

Disqualification for Benefits

Disqualification:

5. An individual shall be disqualified for benefits.—(a) For the week in which he has left work voluntarily without good cause, and for the three weeks which immediately follow such week (in addition to the waiting period), as determined in each case.

Left work;

Discharged;

(b) For the week in which he has been discharged for misconduct connected with his work, and for the three weeks which immediately follow such week (in addition to the waiting period), as determined in each case.

Applied for work;

(c) If it is found that he has failed, without good cause, either to apply for available, suitable work when so directed by the employment office or the executive director or to accept suitable work when offered him, or to return to his customary self-employment (if any) when so directed by the executive director. Such disqualification shall continue for the week in which such failure occurred and for the three weeks which immediately follow such week (in addition to the waiting period), as determined.

Considerations in determining suitability of work;

(1) In determining whether or not any work is suitable for an individual, consideration shall be given to the degree of risk involved to his health,

safety, and morals, his physical fitness and prior training, his experience and prior earnings, his length of unemployment and prospects for securing local work in his customary occupation, and the distance of the available work from his residence.

Acceptance of work;

(2) Notwithstanding any other provisions of this act, no work shall be deemed suitable and benefits shall not be denied under this act to any otherwise eligible individual for refusing to accept new work under any of the following conditions: (a) If the position offered is vacant due directly to a strike, lockout, or other labor dispute; (b) if the remuneration, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality; (c) if as a condition of being employed the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization.

Labor troubles;

(d) For any week with respect to which it is found that his total unemployment is due to a stoppage of work which exists because of a labor dispute at the factory, establishment, or other premises at which he is or was last employed; *provided,* that this subsection shall not apply if it is shown to the satisfaction of the board of review that—(1) He is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and

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Membership.

(2) He does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs, any of whom are participating in or financing or directly interested in the dispute; *provided,* that if in any case in which (1) or (2) above applies separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises, each such department shall, for the purposes of this subsection, be deemed to

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be a separate factory, establishment, or other premises.

Receiving pay; (e) For any week with respect to which he is receiving or has received remuneration in the form of—(1) Remuneration in lieu of notice;

Partial disability; (2) Compensation for temporary partial disability under the workmen's compensation law of any State or under a similar law of the United States; or

Old-age benefits. (3) Old-age benefits under title II of the Social Security Act, as amended, or similar payments

Proviso. under any act of Congress; *provided,* that if such remuneration is less than the benefits which would otherwise be due under this act, he shall be entitled to receive for such week, if otherwise eligible, benefits reduced by the amount of such remuneration.

Claims for Benefits

Filing claims for benefits. 6. (a) Filing.—Claims for benefits shall be made in accordance with such regulations as the commission may approve.

Regulations. Each employer shall post and maintain printed statements of such regulations in places readily accessible to individuals in his service and shall make available to each such individual at the time he becomes unemployed, a printed statement of such regulations. Such printed statements shall be supplied by the commission to each employer without cost to him.

Claims examined by deputy. (b) Initial determination. — A representative designated by the executive director, and hereinafter referred to as a deputy, shall promptly examine the claim and, on the basis of the facts

Determination. found by him, shall either determine whether or not such claim is valid, and if valid, the week with respect to which benefits shall commence, the weekly benefit amount payable and the maximum duration thereof, or shall refer such claim or any question involved therein to an appeal tribunal or to the board of review, which shall make its determinations with respect thereto in accordance with the procedure described in subsection (c) of

this section, except that in any case in which the payment or denial of benefits will be determined by the provisions of section five (d) of this act, the deputy shall promptly transmit his full findings of fact with respect to that subsection to the board of review, which, on the basis of the evidence submitted and such additional evidence as it may require, shall affirm, modify, or set aside such findings of fact and transmit to the deputy a decision upon the issues involved under that subsection. The deputy shall promptly notify the claimant and any other interested party of the decision and the reasons therefor. Unless the claimant or any such interested party, within five calendar days after the delivery of such notification, or within seven calendar days after such notification was mailed to his last-known address, files an appeal from such decision, such decision shall be final and benefits shall be paid or denied in accordance therewith. If an appeal is duly filed, benefits with respect to the period prior to the final determination of the board of review, shall be paid only after such determination; *provided,* that if an appeal tribunal affirms a decision of a deputy, or the board of review affirms a decision of an appeal tribunal, allowing benefits, such benefits shall be paid regardless of any appeal which may thereafter be taken, but if such decision is finally reversed, no employer's account shall be charged with benefits so paid.

Findings transmitted to board of review.

Claimant notified.

Appeal.

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(c) Appeals.—Unless such appeal is withdrawn, an appeal tribunal, after affording the parties reasonable opportunity for fair hearing, shall affirm or modify the findings of fact and decision of the deputy. The parties shall be duly notified of such tribunal's decision, together with its reasons therefor, which shall be deemed to be the final decision of the board of review, unless within ten days after the date of notification or mailing of such decision, further appeal is initiated pursuant to subsection (e) of this section.

Action by appeal tribunal.

Final decision.

Appeal tribunals set up.

(d) Appeal tribunals.—To hear and decide disputed claims, the executive director with the approval of the commission shall establish one or more impartial appeal tribunals consisting in each case of either a salaried examiner or a body consisting of three members, one of whom shall be a salaried examiner, who shall serve as chairman, one of whom shall be a representative of employers and the other of whom shall be a representative of employees; each of the latter two members shall serve at the pleasure of the commission and be paid a fee of not more than twenty dollars ($20.00) per day of active service on such tribunal plus necessary expenses. No person shall participate on behalf of the commission in any case in which he is an interested party. The executive director may designate alternates to serve in the absence or disqualification of any member of an appeal tribunal. The chairman shall act alone in the absence or disqualification of any other member and his alternates. In no case shall the hearings proceed unless the chairman of the appeal tribunal is present.

How composed.

Per diem.

Alternates substituted.

Chairman may act alone.

Action by board of review.

(e) Board of review.—The board of review may on its own motion affirm, modify, or set aside any decision of an appeal tribunal on the basis of the evidence previously submitted in such case, or direct the taking of additional evidence, or may permit any of the parties to such decision to initiate further appeals before it. The board of review shall permit such further appeal by any of the parties interested in a decision of an appeal tribunal which is not unanimous and by the deputy whose decision has been overruled or modified by an appeal tribunal. The board of review may remove to itself or transfer to another appeal tribunal the proceedings on any claim pending before an appeal tribunal. Any proceeding so removed to the board of review shall be heard by a quorum thereof in accordance with the requirements in subsection (c) of this section. The board of review shall promptly notify the interested parties of its findings and decision.

Appeals.

Removing appeal.

Rules for procedure.

(f) Procedure.—The manner in which disputed claims shall be presented, the reports thereon required from the claimant and from employers, and the conduct of hearings and appeals shall be in accordance with rules prescribed by the board of review for determining the rights of the parties, whether or not such rules conform to common law or statutory rules of evidence and other technical rules of procedure. A full and complete record shall be kept of all proceedings in connection with a disputed claim. All testimony at any hearing upon a disputed claim shall be recorded, but need not be transcribed unless the disputed claim is further appealed.

Records kept.

Fees and expenses.

(g) Witness fees.—Witnesses subpœnaed pursuant to this section shall be allowed fees at a rate fixed by the commission. Such fees and all expenses of proceedings involving disputed claims shall be deemed a part of the expense of administering this act.

Time limit to final decree.

(h) Appeal to courts.—Any decision of the board of review in the absence of an appeal therefrom as herein provided shall become final ten days after the date of notification or mailing thereof, and judicial review thereof shall be permitted only after any party claiming to be aggrieved thereby has exhausted his remedies before the board of review as provided by this act. The board of review shall be deemed to be a party to any judicial action involving any such decision, and may be represented in any such judicial action by any qualified attorney who may be a regular salaried employee of the board of review or has been designated by it for that purpose, or at the board of review's request, by the Attorney-General.

Judicial review.

(i) Court review.—Within ten days after the decision of the board of review has become final, any party aggrieved thereby may secure judicial review thereof by writ of certiorari directed to the board of review, in which action any other party to the proceeding before the board of review shall be made a defendant.

CONTRIBUTIONS

Contributions by employers.

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 act, with respect to wages payable for employment (as defined in section nineteen (i)) occurring during such calendar year, except that for the month of December, one thousand nine hundred and thirty-six, such contributions shall accrue and become payable with respect to wages payable for employment during the month of December, one thousand nine hundred and thirty-six. Such contributions shall become due and be paid by each employer to the commission for the fund in accordance with such regulations as may be prescribed, and shall not be deducted, in whole or in part, from the remuneration of individuals in his employ.

Fractional cent.

(2) In the payment of any contributions, a fractional part of a cent shall be disregarded unless it amounts to one-half cent ($0.00½) or more, in which case it shall be increased to one cent ($0.01).

Percentage of contributions;

(b) Rate of contribution.—Each employer shall pay contributions equal to the following percentages of wages payable by him with respect to employment:

December payment;

(1) Ten and eight-tenths per centum (10 8/10%) with respect to employment during the month of December, one thousand nine hundred and thirty-six;

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provided, that if the total of such contributions at such ten and eight-tenths per centum (10 8/10%) rate equals less than nine-tenths of one per centum (9/10 of 1%) of the annual payroll of any employer for the calendar year one thousand nine hundred and thirty-six, such employer shall pay, not later than January twenty-fifth, one thousand nine hundred and thirty-seven, an additional lump-sum contribution with respect to employment for such one month's period beginning December first, one thousand nine hundred and thirty-six, equal to the difference between nine-tenths of one

per centum (9/10 of 1%) of his annual payroll of the calendar year one thousand nine hundred and thirty-six and the total of his contributions at such ten and eight-tenths per centum (10 8/10%) for such one month's period beginning December first, one thousand nine hundred and thirty-six; *and provided further,* that the total of such contributions with respect to employment for such one month's period beginning December first, one thousand nine hundred and thirty-six, shall not exceed nine-tenths of one per centum (9/10 of 1%) of such employer's annual payroll for the calendar year one thousand nine hundred and thirty-six; *provided further,* that if the Federal Social Security Act be amended or an extension thereunder be granted to permit payment of the tax on payrolls provided in section nine hundred one (1), at a date later than January thirty-first, one thousand nine hundred and thirty-seven, the commission may, by regulation, postpone to a later date the required payment of contributions as provided in this subsection.

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(2) One and eight-tenths per centum (1 8/10%) with respect to employment during the calendar year one thousand nine hundred and thirty-seven;

1937 payment;

(3) Two and seven-tenths per centum (2 7/10%) with respect to employment during the calendar years one thousand nine hundred and thirty-eight, one thousand nine hundred and thirty-nine, one thousand nine hundred and forty and one thousand nine hundred and forty-one; and

1938 to 1941 payments;

(4) With respect to employment after December thirty-first, one thousand nine hundred and forty-one, the percentage determined pursuant to subsection (c) of this section.

Subsequent years;

(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. But nothing in this act shall be construed to grant any employer or individuals in his service prior claims or rights to the amounts paid by him into the fund either on his own behalf or on behalf of

Future rates;

No prior rights.

Charging benefits.

such individuals. Benefits paid to an eligible individual shall be charged against the account of his most recent employers against whose accounts the maximum charges hereunder have not previously been made in the inverse chronological order in which the employment of such individual occurred, but the maximum amount so charged shall not exceed one-sixth of the wages payable to such individual by each such employer for employment on and after the first day of the nine completed calendar quarters immediately preceding such individual's benefit year, or two hundred forty dollars ($240.00), whichever is the lesser, but this provision shall not be construed to limit the duration of benefits payable pursuant to section three (d). The commission shall by general rules prescribe the manner in which benefits shall be charged against the accounts of several employers for whom an individual performed employment during the same week.

Order of employment.

Maximum.

Rules for keeping accounts;

Joint accounts;

(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.

Employer's rate;

(3) Each employer's rate shall be two and seven-tenths per centum (2 7/10%), except as otherwise provided in the following provisions. No employer's rate shall be less than two and seven-tenths per centum (2 7/10%) unless and until there shall have been three calendar years throughout which any individual in his employ could have received benefits if eligible.

Providing for rate;

(4) Each employer's rate for the twelve months commencing January first of any calendar year shall be determined on the basis of his record up to the beginning of such calendar year. If, at the beginning of such calendar year, the total of all

If contributions exceed benefits;

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—

Ratables;

(A) One and eight-tenths per centum (1 8/10%), if such excess equals or exceeds seven and one-half per centum (7½%), but is less than ten per centum (10%) of his average annual payroll (as defined in section nineteen (a) (2));

If over 10 per cent;

(B) Nine-tenths of one per centum (9/10 of 1%), if such excess equals or exceeds ten per centum (10%) of his average annual payroll.

After ten years;

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 6/10%).

Arranging rates;

(5) No employer's rate for the period of twelve months commencing January first of any calendar year shall be less than two and seven-tenths per centum (2 7/10%), unless the total assets of the fund, excluding contributions not yet paid at the beginning of such calendar year, exceed the total benefits paid from the fund within the last preceding calendar year; and no employer's rate shall be less than one and eight-tenths per centum (1 8/10%) unless such assets at such time were at least twice the total benefits paid from the fund within such last preceding year.

Contributions by workers;

(d) Contribution by workers.—(1) Each worker shall contribute to the fund one per centum (1%) of his wages paid by an employer with respect to his employment which occurs after December thirty-first, one thousand nine hundred and thirty-seven, and after such employer has satisfied the conditions set forth in section nineteen (h) of this act with respect to becoming an employer. Each employer shall, notwithstanding any provisions of law in this State to the contrary, withhold in trust

Wages withheld 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 fourteen hereof, such contributions shall be treated as employer's contributions required from him. As used in this act, except when the context clearly requires otherwise, the term "contributions" shall include the contributions of workers pursuant to this section.

Shown on payroll;

Liability for deductions;

Contributions defined.

Employer's liability;

(2) If an individual does not receive any wages from the employing unit which for the purposes of this act is treated as his employer, or receives his wages from some other employing unit, such employer shall nevertheless be liable for such individual's contributions in the first instance; and after payment thereof such employer may deduct the amount of such contributions from any sums payable by him to such employing unit, or may recover the amount of such contributions from such employing unit or in the absence of such an employing unit, from such individual, in a civil action for debt; *provided,* proceedings therefor are instituted within three months after the date on which such contributions are payable. General rules shall be prescribed whereby such an employing unit may recover the amount of such contributions from such individuals in the same manner as if it were the employer.

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Notices of designation;

(3) Every employer who has elected to become an employer subject to this act or to cease to be an employer subject to this act, pursuant to the provi-

sions of section eight, shall post and maintain printed notices of such election on his premises, of such design, in such numbers, and at such places as the executive director may determine to be necessary to give notice thereof to persons in his service.

Exemptions of contributions.

(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.

Period, Election, and Termination of Employer's Coverage

Employer liable for year.

8. (a) Any employing unit which is or becomes an employer subject to this act within any calendar year shall be subject to this act during the whole of such calendar year.

Termination of coverage.

(b) Except as otherwise provided in subsection (c) of this section, an employing unit shall cease to be an employer subject to this act only as of the first day of January of any calendar year, if it files with the commission, prior to the fifth day of January of such year, a written application for termination of coverage, and the commission finds that there were no twenty different days, each day being in a different week within the preceding calendar year, within which such employing unit employed eight or more individuals in employment subject to this act. For the purpose of this subsection, the two or more employing units mentioned in paragraph (2) or (3) or (4) of section nineteen (h) shall be treated as a single employing unit.

Employing units.

Becoming employer.

(c) (1) An employing unit, not otherwise subject to this act, which files with the commission its written election to become an employer subject hereto for not less than two calendar years, shall, with the written approval of such election by the commission, become an employer subject hereto to the same extent as all other employers, as of the date stated in such approval; *provided,* that the commission shall not approve such election by such employing unit to become an employer subject

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hereto if written objections on the part of a substantial proportion of the individuals in the employ of such employing unit are presented to the commission within ten days following the filing of such election, and shall cease to be subject hereto as of January first of any calendar year subsequent to such two calendar years, only if at least thirty days prior to such first day of January, it has filed with the commission a written notice to that effect.

Election of services.

(2) Any employing unit for which services that do not constitute employment as defined in this act are performed, may file with the commission a written election that all such services performed by individuals in its employ in one or more distinct establishments or places of business shall be deemed to constitute employment for all the purposes of this act for not less than two calendar years; *provided,* written objections on the part of a substantial proportion of such individuals affected are not presented to the commission within ten days following the filing of such election. Upon the written approval of such election by the commission, such services shall be deemed to constitute employment subject to this act from and after the date stated in such approval. Such services shall cease to be deemed employment subject hereto as of January first of any calendar year subsequent to such two calendar years, only if at least thirty days prior to such first day of January such employing unit has filed with the commission a written notice to that effect.

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Approval by commission.

When services cease.

Unemployment Compensation Fund

Unemployment compensation fund.

9. (a) Establishment and control.—There is hereby established as a special fund, separate and apart from all public moneys or funds of this State, an unemployment compensation fund, which shall be administered by the commission exclusively for the purposes of this act. This fund shall consist of (1) all contributions collected under this act, together with any interest thereon collected pursuant

How composed.

to section fourteen (a) of this act; (2) all fines and penalties collected pursuant to the provisions of this act; (3) interest earned upon any moneys in the fund; (4) any property or securities acquired through the use of moneys belonging to the fund; and (5) all earnings of such property or securities. All moneys in the fund shall be mingled and undivided.

Moneys fundable.

(b) Accounts and deposit.—The Treasurer of the State of New Jersey shall be ex-officio the treasurer and custodian of the fund and shall administer such fund in accordance with the directions of the commission and shall issue his warrants upon it in accordance with such regulations as the commission shall prescribe. He shall maintain within the fund three separate accounts: (1) A clearing account, (2) an unemployment trust fund account, and (3) a benefit account. All moneys payable to the fund, upon receipt thereof by the commission, shall be forwarded to the treasurer who shall immediately deposit them in the clearing account. Refunds payable pursuant to section fourteen (g) of this act may be paid from the clearing account upon warrants issued by the treasurer under the direction of the commission. After clearance thereof, all other moneys in the clearing account shall be immediately deposited with the Secretary of the Treasury of the United States of America to the credit of the account of this State in the unemployment trust fund, established and maintained pursuant to section nine hundred four of the Social Security Act, as amended, any provisions of law in this State relating to the deposit, administration, release, or disbursement of moneys in the possession or custody of this State to the contrary notwithstanding. The benefit account shall consist of all moneys requisitioned from this State's account in the unemployment trust fund. Moneys in the clearing and benefit accounts may be deposited by the treasurer, under the direction of the commission, in any bank or public depository in which general funds of the State may be deposited, but no

Custodian of fund.

Three accounts kept.

Deposits.

Refunds.

Moneys in clearing account deposited in U. S. treasury.

Benefit account.

Treasurer's bond.

public deposit insurance charge or premium shall be paid out of the fund. The treasurer shall give a separate bond conditioned upon the faithful performance of his duties as custodian of the fund in an amount fixed by the commission and in a form prescribed by law or approved by the Attorney-General. Premiums for said bond shall be paid from the administration fund.

Withdrawals of moneys by commission.

(c) Withdrawals.—Moneys shall be requisitioned from this State's account in the unemployment trust fund solely for the payment of benefits and in accordance with regulations prescribed by the commission. The commission shall from time to time requisition from the unemployment trust fund such amounts, not exceeding the amounts standing to its account therein, as it deems necessary for the payment of benefits for a reasonable future period. Upon receipt thereof the treasurer shall deposit such moneys in the benefit account and shall issue his warrants for the payment of benefits solely from such benefit account. Expenditures of such moneys in the benefit account and refunds from the clearing account shall not be subject to any provisions of law requiring specific appropriations or other formal release by State officers of money in their custody. All warrants issued by the treasurer for the payment of benefits and refunds shall bear the signature of the treasurer and the countersignature of the executive director or his duly authorized agent for that purpose. Any balance of moneys requisitioned from the unemployment trust fund which remains unclaimed or unpaid in the benefit account after the expiration of the period for which such sums were requisitioned shall either be deducted from estimates for, and may be utilized for the payment of, benefits during succeeding periods, or, in the discretion of the commission, shall be redeposited with the Secretary of the Treasury of the United States of America, to the credit of this State's account in the unemployment trust fund, as provided in subsection (b) of this section.

Payments for benefits.

Warrants authorized.

Disposition of balance.

(d) Management of funds upon discontinuance of unemployment trust fund.—The provisions of subsections (a), (b), and (c) to the extent that they relate to the unemployment trust fund, shall be operative only so long as such unemployment trust fund continues to exist and so long as the Secretary of the Treasurer of the United States of America continues to maintain for this State a separate book account of all funds deposited therein by this State for benefit purposes, together with this State's proportionate share of the earnings of such unemployment trust fund, from which no other State is permitted to make withdrawals. If and when such unemployment trust fund ceases to exist, or such separate book account is no longer maintained, all moneys, properties, or securities therein, belonging to the unemployment compensation fund of this State shall be transferred to the treasurer of the unemployment compensation fund, who shall hold, invest, transfer, sell, deposit, and release such moneys, properties, or securities in a manner approved by the commission, in accordance with the provisions of this act; *provided,* that such moneys shall be invested in the following readily marketable classes of securities: Bonds or other interest-bearing obligations of the United States of America and of the State of New Jersey; *and provided further,* that such investment shall at all times be so made that all the assets of the fund shall always be readily convertible into cash when needed for the payment of benefits. The treasurer shall dispose of securities or other properties belonging to the unemployment compensation fund only under the direction of the commission.

Management after discontinuance.

Transference of fund.

Proviso: Investments.

Proviso.

Order to dispose of securities.

UNEMPLOYMENT COMPENSATION COMMISSION

10. (a) Organization.—There is hereby created a commission to be known as the Unemployment Compensation Commission of New Jersey. It shall consist of seven members who shall be appointed by the Governor, with confirmation by the Senate,

Commission.

Membership.

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

No salary; Expenses met. Politics. Terms. Full term. Vacancies.

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

Removal.

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

Executive director. Salary; General supervision.

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

Powers and duties.

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

Rules.

(2) To appoint and fix the compensation of members of the staff, subject to approval by the Commission; such appointments shall be made subject to the provisions of chapter 156, P. L. 1908, and the supplements and amendments thereto, at such

Assistants and compensation.

compensation as may be fixed by the New Jersey Civil Service Commission.

Requisitions and expenditures.

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

Vouchers.

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

Delegated powers.

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

Divisions of work.

(c) Divisions.—The executive director shall establish such administrative divisions as may be necessary to carry out the purposes of this act, subject to approval of the commission. Among such divisions shall be New Jersey State Employment Service Division, established pursuant to section 12 of this act. The New Jersey State Employment Service shall be a separate administrative unit with respect to personnel, budget, and duties, except insofar as the commission may find such separation to be impracticable.

Separate units.

Board of review.

(d) Board of review.—The executive director shall appoint, subject to the provisions of chapter 156, P. L. 1908, with the supplements and amendments thereto, from Civil Service eligible lists, subject to approval of the commission, a board of review, consisting of three members whose duties shall be to act as a final appeals board in cases of dispute and to whom shall be delegated the duty of supervising the work of local appeal tribunals to be organized as provided for elsewhere in this act. No member of the board of review shall participate in any case in which he is an interested party.

Members and duties.

Duties of commission:

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

Chairman;

(1) To designate its chairman.

Operations studied;

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

Regulations;

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

Advisory capacity;

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

Quorum.

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

ADMINISTRATION

Policy.

11. (a) Duties and powers of the commission.—It shall be the duty of the commission to determine all matters of policy; and it shall have power and authority to adopt, amend, or rescind such rules and regulations, require such reports, make such investigations, and take such other action as it deems necessary or suitable to that end or to administer this act; *provided,* that the commission may delegate such power and authority to the executive director subject to their ultimate supervision and control. Such rules and regulations shall be effective upon publication in the manner, not inconsistent with the provisions of this act, which the commission shall prescribe. The commission shall determine its own organization and methods of procedure in accordance with the provisions of this act, and shall have an official seal which shall be judicially noticed. Not later than the first day of February of each year, the commission shall submit to the Governor a report covering the administration and operation of this act during the preceding calendar year and shall make such recommendations for amendments to this act as the com-

Proviso.

Effectiveness.

Organization.

Seal.

Report to Governor.

mission deems proper. Such report shall include a balance sheet of the moneys in the fund in which there shall be provided, if possible, a reserve against the liability in future years to pay benefits in excess of the then current contributions, which reserve shall be set up by the commission in accordance with accepted actuarial principles on the basis of statistics of employment, business activity, and other relevant factors for the longest possible period. Whenever the commission believes that a change in contribution or benefit rates will become necessary to protect the solvency of the fund, it shall promptly so inform the Governor and the Legislature, and make recommendations with respect thereto. The commission shall make a study of the problem of paying partial benefits for partial unemployment.

Balance sheet.

Reserve fund.

Principles of procedure.

Change of rates.

Partial benefits.

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

General and special rules.

When effective.

Changes in regulations.

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

Publication and distribution of printed matter.

(d) Personnel.—Subject to other provisions of this Act, the commission is authorized to appoint, subject to the provisions of chapter 156, P. L. 1908, and the supplements and amendments thereto, fix

Attorneys, experts, etc.

New Jersey State Library

the compensation, and prescribe the duties and powers of such officers, accountants, attorneys, experts, and other persons as may be necessary in the performance of its duties. All positions shall be filled by persons selected and appointed on a nonpartisan merit basis from lists of eligible persons prepared by the Civil Service Commission, subject to the provisions of chapter 156, P. L. 1908, and the supplements and amendments thereto. The commission shall not employ or pay any person who is an officer or committee member of any political party organization. The commission may delegate to any such person so appointed such power and authority as it deems reasonable and proper for the effective administration of its Act, and may in its discretion bond any person handling moneys or signing checks hereunder.

Civil service requirements.

Non-political appointees.

Appointments.

Bonding.

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

Advisory councils.

Duties.

Expenses met.

(f) Employment stabilization.—The commission, with the advice and aid of its advisory councils, and through its appropriate divisions, shall take all appropriate steps to reduce and prevent unemployment; to encourage and assist in the adoption of practical methods of vocational training, retraining and vocational guidance; to investigate, recommend, advise, and assist in the establishment and operation, by municipalities, counties, school

Steps to reduce unemployment.

Assist in training.

Study sundry problems.

districts, and the State, of reserves for public works to be used in times of business depression and unemployment; to promote the re-employment of unemployed workers throughout the State in every other way that may be feasible; and to these ends to carry on and publish the results of investigations and research studies.

Re-employment.

Publish results.

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

Records.

Sworn reports.

Secrecy.

Penalties for violations.

(h) Oaths and witnesses.—In the discharge of the duties imposed by this act, the chairman of an appeal tribunal and any duly authorized representative or member of the commission, the executive director or any deputy director thereof or member of the board of review shall have power to administer oaths and affirmations, take depositions, certify to official acts, and issue subpœnas to compel

Oaths and witnesses.

the attendance of witnesses and the production of books, papers, correspondence, memoranda, and other records deemed necessary as evidence in connection with a disputed claim or the administration of this act.

Witnesses compelled to obey subpœnas.

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

Penalty for refusal.

Fine or imprisonment.

Self-incrimination.

(j) Protection against self-incrimination.—No person shall be excused from attending and testifying or from producing books, papers, correspondence, memoranda, and other records before the commission or the board of review or in obedience to the subpœna of a member of the commission or the executive director thereof, the board of review or a member thereof, or any duly authorized representative of the commission in any cause or pro-

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

Protection of witnesses.

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

Co-operation.

Reports.

Compliance with regulations.

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

Information supplied.

EMPLOYMENT SERVICE

Employment bureau of Labor Department transferred to unemployment commission.

12. (a) State employment service.—The employment bureau of the New Jersey Department of Labor and its present personnel, including those employed by the New Jersey National Re-employment Service, is hereby transferred to the commission as a division thereof, which shall establish and maintain free public employment offices in such number and in such places as may be necessary for the proper administration of this act and for the purpose of performing such duties as are within the purview of the act of Congress entitled "An act to provide for the establishment of a national employment system and for co-operation with the States in the promotion of such system, and for other purposes," approved June sixth, one thousand nine hundred and thirty-three (48 Stat. 113; U. S. C., title 29, sec. 49 (c)), as amended. The said division shall be administered by a full-time salaried director, who shall be charged with the duty, subject to the supervision of the commission and the executive director, to co-operate with any official or agency of the United States having powers or duties under the provisions of the said act of Congress, as amended, and to do and perform all things necessary to secure to this State the benefits of the said act of Congress, as amended, in the promotion and maintenance of a system of public employment offices. The provisions of the said act of Congress, as amended, are hereby accepted by this State, in conformity with section four of said act, and this State will observe and comply with the requirements thereof. The New Jersey State Employment Service division is hereby designated and constituted the agency of this State for the purpose of said act. The executive director, with the approval of the commission, is empowered to appoint, subject to the provisions of chapter 156, P. L. 1908, and the supplements and amendments thereto, the director, other officers, and employees, subject to the provisions aforesaid, of the New Jersey State

Duties.

Administration.

Duties.

Co-operation with Federal agencies.

Acts of Congress accepted.

Substituted bureau accepted.

Director, assistants, employees.

Employment Service on a nonpartisan merit basis from lists of eligible persons prepared by the Civil Service Commission and in accordance with regulations prescribed by the director of the United States Employment Service; *provided, however,* that present employees having civil service status shall retain full rights as provided in the Civil Service Act of this State. Nonpartisan basis. Proviso.

(b) Financing.—All moneys received by this State under the said act of Congress, as amended, shall be paid into the special "employment service account" in the unemployment compensation administration fund, and said moneys are hereby made available to the New Jersey State Employment Service to be expended as provided by this section and by said act of Congress. For the purpose of establishing and maintaining free public employment offices, said division is authorized to enter into agreements with any political subdivision of this State or with any private, nonprofit organization, and as a part of any such agreement the commission may accept moneys, services, or quarters as a contribution to the employment service account. Use of fees. Aid to public employment.

UNEMPLOYMENT COMPENSATION ADMINISTRATION FUND

13. (a) Special fund.—There is hereby created in the State Treasury a special fund to be known as the unemployment compensation administration fund. All moneys which are deposited or paid into this fund are hereby appropriated and made available to the commission. All moneys in this fund shall be expended solely for the purpose of defraying the cost of the administration of this act, and for no other purpose whatsoever. The fund shall consist of all moneys appropriated by this State, and all moneys received from the United States of America, or any agency thereof, including the Social Security Board and the United States Employment Service, or from any other source, for such Administration fund. Availability. Moneys used solely for carrying out act. How fund composed.

Operation of fund.

purpose. All moneys in this fund shall be deposited, administered, and disbursed, in the same manner and under the same conditions and requirements as is provided by law for other special funds in the State Treasury. Any balances in this fund shall not lapse at any time, but shall be continuously available to the commission for expenditure consistent with this act. The State Treasurer shall give a separate and additional bond conditioned upon the faithful performance of his duties in connection with the unemployment compensation administration fund in an amount to be fixed by the commission and in a form prescribed by law or approved by the Attorney-General. The premiums for such bond and the premiums for the bond given by the treasurer of the unemployment compensation fund under section nine of this act shall be paid from the moneys in the unemployment compensation administration fund.

Fund continuous.

Additional bond required from State Treasurer.

Premiums on bonds paid as expenses.

Special account for offices and co-operative service.

(b) Employment service account.—A special "employment service account" shall be maintained as a part of the unemployment compensation administration fund for the purpose of maintaining the public employment offices established pursuant to section twelve of this act and for the purpose of co-operating with the United States Employment Service. There is hereby appropriated to this account the balance of any sum previously appropriated to the employment service, and such additional sum as to equal sixty-five thousand dollars ($65,000.00) for the remainder of the fiscal year ending June thirtieth, one thousand nine hundred and thirty-seven. The Governor shall fix and determine and state in his annual budget message a sum sufficient to pay the estimated amount of the State's net share of the cost of the employment service as provided in this act. The Legislature shall include the amount so determined and stated in the annual appropriation bill. In addition, there shall be paid into such account the moneys designated in section twelve (b) of this act, and such moneys as are apportioned for the purposes of this

Appropriation.

Budgeting.

Amount in annual appropriation bill.

Additional moneys.

account from any moneys received by this State under title III of the Social Security Act, as amended.

COLLECTION OF CONTRIBUTIONS

Reports by employers.

14. (a) Report and payment of contributions.—Every employer shall file with the commission periodical reports on such forms and at such times as the commission shall prescribe, to disclose his liability for contributions under the provisions of this act, and at the time of filing each such report the commission may require payment of the contributions required by this act for the period covered by such report. The commission may require that such reports shall be under oath of the employer. Any employer, who shall fail to file any such report and pay the contributions on or before the date they are due, shall pay a penalty of one dollar ($1.00) for each day from such due date until the report shall be filed with the commission and, in addition thereto, shall pay interest at the rate of one per centum (1%) a month on the unpaid contributions from such due date until the date of payment thereof with the accrued interest thereon.

Penalty for not filing report.

Liabilities of employers a personal debt.

(b) Tax a debt and lien; proceedings to recover; preference.—The contributions, penalties, and interest due from any employer under the provisions of this act, from the time they shall be due, shall be a personal debt of the employer to the State of New Jersey, recoverable in any court of competent jurisdiction in an action at law in the name of the State of New Jersey. Such debt, whether sued upon or not, shall be a lien on all the property of the debtor except as against an innocent purchaser for value in the usual course of business and without notice thereof, and shall have preference in any distribution of the assets of the employer, whether in bankruptcy, insolvency or otherwise.

Debt a lien.

Estimating liability.

(c) Arbitrary assessment.—If any employer shall fail to make any report as required by the

rules and regulations of the commission pursuant to the provisions of this act, the commission may make an estimate of the liability of such employer from any information it may obtain and, according to such estimate so made, assess such employer for the contributions, penalties, and interest due the State from him, give notice of such assessment to the employer, and make demand upon him for payment.

Assessment thereon.

If deficiency.

(d) Deficiency assessment.—After a report is filed under the provisions of this act and the rules and regulations of the commission, the commission shall cause the report to be examined and shall make such further audit and investigation as it may deem necessary, and if therefrom there shall be determined that there is a deficiency with respect to the payment of the contributions due from such employer, the commission shall assess the additional contributions, penalties, and interest due the State from such employer, give notice of such assessment to the employer, and make demand upon him for payment.

Liability as docketed judgment.

(e) Certificates of debt; judgment; procedure thereon.—As an additional or alternative remedy, the commission may issue a certificate to the clerk of the Supreme Court or the clerk of the court of common pleas of any county that any employer is indebted under this law in such an amount as shall be named in such certificate, and thereupon the clerk to whom such certificate shall have been issued shall immediately enter upon his record of docketed judgments the name of such person, the name of the State, the amount of the debt so certified, a description of the liability under this act, and the date of making such entries. The making of such entries shall have the same force and effect as the entry of a docketed judgment in the office of such clerk, and the commission shall have all the remedies and may take all the proceedings for the collection thereof which may be had or taken upon the recovery of a judgment in an action

at law upon contract, but without prejudice to the employer's right of appeal.

Priority of distributions.

(f) Priorities under legal dissolutions or distributions.—In the event of any distribution of an employer's assets pursuant to an order of any court under the laws of this State, including any receivership, assignment for benefit of creditors, adjudicated insolvency, composition, or similar proceeding, contributions then or thereafter due shall be paid in full prior to all other claims except taxes and claims for remuneration of not more than two hundred fifty dollars ($250.00) to each claimant, earned within six months of the commencement of the proceeding. In the event of an employer's adjudication in bankruptcy, judicially confirmed extension proposal, or composition, under the Federal Bankruptcy Act of 1898, as amended, contributions then or thereafter due shall be entitled to such priority as is provided in section sixty-four (b) of that act (U. S. C., title XI, sec. 104 (b), as amended).

In bankruptcy.

Adjustments and refunds.

(g) Refunds.—If not later than one year after the date on which any contributions or interest thereon became due, an employer who has paid such contributions or interest thereon shall make application for an adjustment thereof in connection with subsequent contribution payments, or for a refund thereof because such adjustment cannot be made, and the commission or executive director shall determine that such contributions or interest or any portion thereof was erroneously collected, such employer shall be allowed to make an adjustment thereof, without interest, in connection with subsequent contribution payments by him, or if such adjustment cannot be made the said amount shall be refunded, without interest, from the fund. For like cause and within the same period, adjustment or refund may be so made on the initiative of the commission through the executive director.

Disposition of collections.

(h) All interest and penalties collected pursuant to this section shall be paid into the unemployment compensation fund.

PROTECTION OF RIGHTS AND BENEFITS

Agreement to void rights invalid.

15. (a) Waiver of rights void.—Any agreement by an individual to waive, release, or commute his rights to benefits or any other rights under this act shall be void. No agreement by any individual in the employ of any person or concern to pay all or any portion of an employer's contributions, required under this act from such employer, shall be valid. No employer shall directly or indirectly make or require or accept any deduction from the remuneration of any individual in his employ to finance the employer's contributions required from him, or require or accept any waiver of any right hereunder by any individual in his employ. Any employer or officer or agent of an employer who violates any provision of this subsection shall, for each offense, be fined not less than one hundred dollars ($100.00) nor more than one thousand dollars ($1,000.00) or be imprisoned for not more than six months, or both.

Penalty.

Claimant not charged fees.

(b) Limitation of fees.—No individual claiming benefits shall be charged fees of any kind in any proceeding under this act by the commission or its representatives or by any court or any officer thereof. Any individual claiming benefits in any proceeding before the board of review or a court may be represented by counsel or other duly authorized agent; but no such counsel or agents shall either charge or receive for such services more than an amount approved by the board of review. Any person who violates any provision of this subsection shall, for each such offense, be fined not less than fifty dollars ($50.00) nor more than five hundred dollars ($500.00), or imprisoned for not more than six months, or both.

Fees of counsel.

Penalty.

Assignment of rights void.

(c) No assignment of benefits; exemptions.—Any assignment, pledge, or encumbrance of any right to benefits which are or may become due or payable under this act shall be void; and such rights to benefits shall be exempt from levy, execution, attachment, or any other remedy whatsoever

Rights not subject to levy.

provided for the collection of debt; and benefits received by any individual, so long as they are not mingled with other funds of the recipient, shall be exempt from any remedy whatsoever for the collection of all debts except debts incurred for necessaries furnished to such individual or his spouse or dependents during the time when such individual was unemployed. Any waiver of any exemption provided for in this subsection shall be void.

Waiver void.

PENALTIES

Penalty for perjury.

16. (a) Whoever makes a false statement or representation knowing it to be false or knowingly fails to disclose a material fact, to obtain or increase any benefit or other payment under this act, either for himself or for any other person, shall be liable to a fine of not less than twenty dollars ($20.00) nor more than fifty dollars ($50.00), to be recovered in an action of debt in the name of the commission, said fine when recovered to be paid to the unemployment compensation fund for the use of said fund; and each such false statement or representation or failure to disclose a material fact shall constitute a separate offense.

False statements by employer, agent.

(b) Any employing unit or any officer or agent of an employing unit or any other person who makes a false statement or representation knowing it to be false, or who knowingly fails to disclose a material fact, to prevent or reduce the payment of benefits to any individual entitled thereto, or to avoid becoming or remaining subject hereto or to avoid or reduce any contribution or other payment required from an employing unit under this act, or who willfully fails or refuses to make any such contributions or other payment or to furnish any reports required hereunder or to produce or permit the inspection or copying of records as required hereunder, shall be liable to a fine of not less than twenty dollars ($20.00) nor more than two hundred dollars ($200.00), to be recovered in an action of debt in the name of the commission. Said fine when recovered to be paid to the unemployment

Penalty.

Use of fine.

compensation fund for the use of said fund; and each such false statement or representation or failure to disclose a material fact, and each day of such failure or refusal shall constitute a separate offense.

Violations of act.

(c) Any person who shall willfully violate any provision of this act or any rule or regulation thereunder, the violation of which is made unlawful or the observance of which is required under the terms of this act, and for which a penalty is neither prescribed herein nor provided by any other applicable statute, shall be liable to a fine of not less than twenty dollars ($20.00) nor more than two hundred dollars ($200.00), to be recovered in an action of debt in the name of the commission, said fine when recovered to be paid to the unemployment compensation fund for the use of said fund; and each day such violation continues shall be deemed to be a separate offense.

Disposition of recovered fine.

Benefits improperly received.

(d) Any person who, by reason of the nondisclosure or misrepresentation by him or by another, of a material fact (irrespective of whether such nondisclosure or misrepresentation was known or fraudulent) has received any sum as benefits under this act while any conditions for the receipt of benefits imposed by this act were not fulfilled in his case, or while he was disqualified from receiving benefits, shall, in the discretion of the commission, either be liable to have such sum deducted from any future benefits payable to him under this act or shall be liable to repay to the commission for the unemployment compensation fund, a sum equal to the amount so received by him, and such sum shall be collectible in the manner provided in section fourteen (e) of this act for the collection of past-due contributions.

Penalty.

Representation in Court

State's legal representation.

17. (a) In any civil action to enforce the provisions of this act the commission and the State may be represented by any qualified attorney who is a regular salaried employee of the commission or is

designated by it for this purpose or at the commission's request, by the Attorney-General.

NONLIABILITY OF STATE

General liability.

18. Benefits shall be deemed to be due and payable under this act only to the extent provided in this act and to the extent that moneys are available therefor to the credit of the unemployment compensation fund, and neither the State, the commission nor any representative thereof shall be liable for any amount in excess of such sums.

DEFINITIONS

Definitions:

19. As used in this act, unless the context clearly requires otherwise:

Annual payroll;

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

Average payroll;

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

Benefits;

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

Base year;

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

Benefit year;

(d) "Benefit year," with respect to any individual means the fifty-two consecutive week periods beginning with the first day of the first week with respect to which benefits are first payable to him, and thereafter, the fifty-two consecutive week periods beginning with the first day of the first week with respect to which benefits are next payable to him after the termination of his last preceding benefit year.

Commission;

(e) "Commission" means the unemployment compensation commission established by section

ten of this act, and for purposes of this act any transaction or exercise of authority by the executive director shall be deemed to be performed by the commission.

Contributions;

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

Employing unit;

(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 act. 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 section nineteen (h) or section eight (c) of this act, the employing unit shall for all the purposes of this act 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 section nineteen (h) or section eight (c) of this act 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

Single units.

Employees under contractor.

Contractor's liability.

who is not an employer by reason of section nineteen (h) or section eight (c) of this act, 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 act, 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.

Individual employment.

(h) "Employer" means:

Employer;

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

Eight persons in twenty weeks.

(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 act;

Taking over another business.

(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;

Treated as single unit.

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

Same interests united.

Continuing employer.

(5) Any employing unit which, having become an employer under paragraph (1), (2), (3), or (4), has not, under section eight, ceased to be an employer subject to this act; or

Other units.

(6) For the effective period of its election pursuant to section eight (c) any other employing unit which has elected to become fully subject to this act.

Employment;

(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.

Entire service;

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

Service in State;

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

Varied service;

(B) the service is not localized in any State but some of the service is performed in this State and (i) the base of operations, or, if there is no base of operations, then the place from which such service is directed or controlled, is in this State; or (ii) the base of operations or place from which such service is directed or controlled is not in any State in which some part of the service is performed, but the individual's residence is in this State.

Relative to other states.

(3) Services performed within this State but not covered under paragraph (2) of this subsection shall be deemed to be employment subject to this act 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.

If worker is a resident.

(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 act 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 act, 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.

Service localized;

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

In State;

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

In and out of State;

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

Remuneration deemed employment;

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

Freedom from control;

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

Outside employment;

(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

Independent business;

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

Exceptions;

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

Farming;

(A) Agricultural labor;

Servants;

(B) Domestic service in a private home;

Mariners;

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

Family service;

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

Child labor;

Political service in State;

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

Outside State;

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

Charitable, educational, etc.;

(G) Service performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, 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.

Employment office;

(j) "Employment office" means a free public employment office, or branch thereof, operated by this State or maintained as a part of a State-controlled system of public employment offices.

Fund;

(k) "Fund" means the unemployment compensation fund established by this act, to which all contributions required and from which all benefits provided under this act shall be paid.

State;

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

(m) "Total unemployment."

Total unemployed;

(1) An individual shall be deemed "totally unemployed" in any week with respect to which no remuneration is payable to him and during which he performs no services (other than odd jobs or subsidiary work for which no remuneration as used in this section is payable to him).

Remuneration;

(2) As used in this subsection, the term "remuneration" shall include only that part of remuneration for odd jobs or subsidiary work, or both, which is in excess of three dollars ($3.00) in any one week.

Week of unemployment;

(3) An individual's week of unemployment shall be deemed to commence only after his registration

at an employment office, except as the commission may by regulation otherwise prescribe.

Unemployment fund;

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

Wages;

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

Remuneration;

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

Week;

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

Calendar quarter;

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

Weekly benefit amount.

(s) "Weekly benefit amount."—An individual's "weekly benefit amount" means the amount of benefits he would be entitled to receive for one week of total unemployment and an individual's weekly benefit amount as determined for the first week of his benefit year shall constitute his weekly benefit amount throughout such benefit year.

PART-TIME WORKERS

Part time.

20. (a) As used in this section the term "part-time worker" means an individual whose normal work is in an occupation in which his services are not required for the customary scheduled full-time hours prevailing in the establishment in which he is employed, or who, owing to personal circumstances, does not customarily work the customary scheduled full-time hours prevailing in the establishment in which he is employed.

Rules pertaining to part-time workers.

(b) The commission shall approve fair and reasonable general rules applicable to part-time workers, for determining their full-time weekly wage, and the total wages required to qualify such workers for benefits.

Reciprocal Benefit Arrangements

Reciprocal benefit relations.

21. The commission is hereby authorized to enter into arrangements with the appropriate agencies of other States or the Federal government whereby potential rights to benefits accumulated under the unemployment compensation laws of several States or under such a law of the Federal government, or both, may constitute the basis for the payment of benefits through a single appropriate agency under terms which the commission finds will be fair and reasonable as to all affected interests and will not result in any substantial loss to the fund.

Saving Clause

Act subject to change or repeal.

22. The Legislature reserves the right to amend or repeal all or any part of this act at any time; and there shall be no vested private right of any kind against such amendment or repeal. All the rights, privileges, or immunities conferred by this act or by acts done pursuant thereto shall exist subject to the power of the Legislature to amend or repeal this act at any time.

Separability of Provisions

Validity of act.

23. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby.

Effective Date

24. This act shall take effect immediately.

Approved December 22, 1936.

LAWS
1937

ACTS

OF THE

One Hundred and Sixty-first Legislature

OF THE

STATE OF NEW JERSEY

AND

Ninety-third Under the New Constitution



1937

MacCrellish & Quigley Co
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1937

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

The proclamations of the Governor follow. An index of all the laws, compiled in accordance with the act of 1895, completes the work.

THOMAS A. MATHIS,
Secretary of State.

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OF THE

One Hundred and Sixty-first Legislature

OF NEW JERSEY

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LAWS

ACTS

PASSED BY THE

One Hundred and Sixty-first Legislature

CHAPTER 1

AN ACT to authorize the representation of the State of New Jersey in the inaugural ceremonies of the Honorable Franklin Delano Roosevelt as President of the United States on January twentieth, one thousand nine hundred and thirty-seven, making an appropriation therefor.

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

State representation at presidential inauguration.

1. The Quartermaster-General, by direction of the Governor of this State, is hereby authorized to complete the necessary arrangements for the participation of the Governor of this State, his administrative staff, one military and one naval aide from his personal staff, six members of the Senate appointed by the President, including the President thereof, and six members of the Assembly to be appointed by the Speaker, including the Speaker thereof, representing the State of New Jersey, in the inaugural ceremonies at Washington, D. C., incident to the Inauguration of Honorable Franklin Delano Roosevelt as President of the United States on January twenty, one thousand nine hundred and thirty-seven.

Appropriation.

2. For the purpose of carrying into effect the provisions of this act there is hereby appropriated the sum of one thousand five hundred dollars ($1,500.00), or so much thereof as may be necessary.

3. This act shall take effect immediately.

Approved January 18, 1937.

HAROLD G. HOFFMAN,
Governor.

CHAPTER 2

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

Preamble.

WHEREAS, The Legislature at the present session has enacted a statute appropriating for the support of free public schools the sum of one million seven hundred and sixteen thousand six hundred and sixteen dollars and sixty-one cents ($1,716,616.61) for the purposes of making certain payments for school purposes under the school law; now, therefore,

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

Distribution of school moneys.

1. The moneys appropriated by an act of the Legislature enacted at the present session entitled "A supplement to an act entitled 'An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine

hundred and thirty-seven, and regulating the disbursement thereof,' approved June twenty-fourth, one thousand nine hundred and thirty-six,'' shall be distributed by the Commissioner of Education in the manner prescribed by law, in order that the several school districts of this State may be paid the full amount of the quotas provided by section one hundred and seventy-nine of an act entitled ''An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,'' approved October nineteenth, one thousand nine hundred and three, and an amount equivalent to three cents ($0.03) per day for each day of school attendance in said several school districts. Daily quota.

2. This act shall take effect immediately.

Approved January 26, 1937.

CHAPTER 3

A SUPPLEMENT to an act entitled ''An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and thirty-seven, and regulating the disbursements thereof,'' approved June twenty-fourth, one thousand nine hundred and thirty-six.

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

1. There is hereby appropriated for the support of free public schools the sum of one million seven hundred sixteen thousand six hundred and sixteen dollars and sixty-one cents ($1,716,616.61) out of the general funds of this State. The sum hereby Appropriation for schools. Transfer.

appropriated shall be transferred by the State Treasurer to the reserve fund of the State school tax, and when so transferred the sum of money hereby appropriated shall be paid out of the treasury of this State, on the warrant of the Commissioner of Education, in order that all school districts of this State shall receive from State apportionments for the school year 1936-1937 the quotas prescribed to be paid by the provisions of section one hundred and seventy-nine of an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred three, as said section has been amended, and an amount equivalent to three cents per day for each day of school attendance.

Act governing.

Daily allowance.

To be regarded as emergency appropriation.

2. The appropriation in this act made shall be taken and deemed to be an emergency appropriation and shall not be construed to indicate a legislative policy of continuing such appropriations from year to year.

3. This act shall take effect immediately.

Approved February 10, 1937.

CHAPTER 4

AN ACT authorizing and empowering the Quartermaster-General to provide for additions, alterations and repairs to armory, camp and arsenal buildings located in this State.

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

Increase and care of State military property.

1. The Quartermaster-General is authorized and empowered to provide for additions, alterations and repairs to armory, camp and arsenal buildings located in this State as follows:

Location—Asbury Park, Atlantic City, Bridgeton, Burlington, Camden Infantry Armory, Camden Field Artillery, East Orange, Elizabeth, Orange, Newark Cavalry, Newark Infantry Armory, Newark Airport, New Brunswick, Passaic, Perth Amboy, Plainfield, Paterson, Red Bank, Somerville, Trenton Infantry Armory, Trenton Field Artillery, Westfield, Woodbury, Sea Girt, Jersey City. Armories listed.

2. The contemplated cost of such additions, alterations and repairs shall be the sum of four hundred seventy-five thousand dollars $(475,000.00). It is a condition of the grant of the power and authority contained in section one hereof, that the Federal Government, or any agency thereof, shall grant and make available for the purposes of this act, to be expended in accordance with the provisions hereof, a sum to equal to forty-five per centum (45%) of the total cost, to wit: the sum of two hundred thirteen thousand seven hundred and fifty dollars ($213,750.00). Total cost. Federal grant.

3. The additions, alterations and repairs contemplated by this act and authorized herein shall be undertaken and supervised by the Quartermaster-General in accordance with the statutes of this State in such case made and provided. Supervision.

4. For the purpose of carrying into effect the provisions of this act, and as a supplement to the aforesaid Federal grant, the sum of two hundred sixty-one thousand two hundred and fifty dollars ($261,250.00), or so much thereof as may be necessary, be and the same is hereby appropriated from moneys in the treasury of this State. Such sum to be disbursed by the State Treasurer on warrant of the Comptroller of the Treasury, or other State disbursements from appropriations are made. Appropriation by State. Payments.

5. This act shall take effect immediately.

Approved February 16, 1937.

CHAPTER 5

AN ACT to validate certain ordinances heretofore passed by municipalities.

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

Validating certain municipal ordinances.

1. Any ordinance heretofore finally passed by the governing body of any municipality authorizing the issuance of bonds pursuant to the provisions of an act entitled "An act concerning the issuance of bonds by municipalities to pay, fund or refund certain bonds or other indebtedness," approved April fourth, one thousand nine hundred and thirty-four, and the acts amendatory thereof or supplemental thereto, shall be valid, notwithstanding that a certified copy of said ordinance was not filed in the office of the State Auditor prior to the final passage thereof; *provided, however,* that said ordinance shall have been otherwise duly adopted.

Proviso.

2. This act shall take effect immediately.

Approved February 25, 1937.

CHAPTER 6

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

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

Extending time for retirement of certain normal school principal.

1. If any normal school principal attains during the school year 1936-1937 the compulsory retirement age of seventy-one, the board of trustees of the Teachers' Pension and Annuity Fund shall not make effective such retirement (as provided in section 251, subsection (2), chapter 80, P. L. 1919) until the close of the school year June thirtieth, one thousand nine hundred and thirty-seven.

2. This act shall take effect immediately.

Approved February 25, 1937.

CHAPTER 7

AN ACT to amend an act entitled "An act authorizing and regulating the issuance of bonds by municipalities other than counties for the financing of the relief of the poor," approved March fourteenth, one thousand nine hundred and thirty-six, constituting chapter twenty-five of the laws of one thousand nine hundred and thirty-six.

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

Section 5 amended.

1. Section five of an act entitled "An act authorizing and regulating the issuance of bonds by municipalities other than counties for the financing of relief of the poor," approved March fourteenth, one thousand nine hundred and thirty-six, is hereby amended to read as follows:

Time for issuing municipal bonds.

5. This act shall take effect immediately. No bonds shall be issued pursuant to this act after the first day of March, one thousand nine hundred and thirty-seven, unless the ordinance authorizing the issuance of said bonds, required by section two of this act, shall have been finally passed and shall have become operative prior to the first day of March, one thousand nine hundred and thirty-seven.

2. This act shall take effect immediately.

Approved February 25, 1937.

CHAPTER 8

A SUPPLEMENT to an act entitled "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and thirty-seven, and regulating the disbursement thereof," approved June twenty-fourth, nineteen hundred and thirty-six.

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

1. The following sums, or so much thereof as may be necessary are hereby appropriated out of the State fund for the several purposes hereinafter specified: Supplemental appropriation to board of tax appeals.

D 12. STATE BOARD OF TAX APPEALS

Salaries of the two members of the State Board of Tax Appeals, appointed pursuant to Chapter 168 of the Laws of 1936, from July first, nineteen hundred and thirty-six	$9,000 00	
Compensation of two Clerk-Stenographers	1,150 00	
Compensation of three Clerk-Typists	1,200 00	
		$11,350 00

2. This act shall take effect immediately.

Approved March 2, 1937.

CHAPTER 9

AN ACT to supplement an act entitled "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and thirty-seven, and regulating the disbursement thereof," approved June twenty-fourth, one thousand nine hundred and thirty-six.

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

Additional appropriation for indemnities of condemned cattle.

1. In addition to the sum appropriated for the appraisement of condemned cattle in tuberculosis eradication in and by the act of which this is a supplement, there is hereby appropriated to the Department of Agriculture out of the State fund for the payment of indemnities to the owners of cattle reacting to the tuberculin test, the sum of thirty thousand dollars ($30,000.00).

2. This act shall take effect immediately.

Approved March 2, 1937.

CHAPTER 10

AN ACT to amend an act entitled "An act concerning municipal and county finances" (Revision of 1936), approved June twenty-fourth, one thousand nine hundred and thirty-six, and constituting chapter two hundred and eleven of the pamphlet laws of one thousand nine hundred and thirty-six.

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

1. Section one hundred and ten of the act entitled "An act concerning municipal and county finances" (Revision of 1936), approved June twenty-fourth, one thousand nine hundred and thirty-six, is hereby amended to read as follows: Section 110 amended.

110. Temporary appropriations. The governing body of any county or municipality may, and, if any contracts, commitments or payments are to be made prior to the adoption of the budget of any fiscal year, shall, not later than the thirtieth but not prior to the first day of such year, by resolution make appropriations to provide for the period between the beginning of the budget year and the adoption of the budget herein provided. The total of the appropriations so made, exclusive of the amount so appropriated for interest and debt redemption charges, shall not exceed one-quarter of the total of the appropriations made for all purposes other than interest and debt redemption charges in the budget for the preceding fiscal year. The amounts of all such temporary appropriations shall be included under the correct headings in the amounts appropriated in the budget as finally adopted. Nothing herein contained, however, shall prevent or relieve the governing body of a county Temporary appropriations. Total amount. Construing.

or municipality at any time before the budget is adopted, but not earlier than the tenth day preceding the beginning of the budget year, from making appropriations for all interest and debt redemption charges maturing during the budget year.

Section 209 amended.

2. Section two hundred and nine of said act is hereby amended to read as follows:

Appropriations itemized:

209. Appropriations. The appropriations stated in the budget shall be itemized according to the respective objects and purposes for which they are to be expended, and shall include, separately stated, all requirements for

Administration;

(a) administration, operation and maintenance of all offices, departments, boards, commissions and institutions, including publicly owned or operated utilities and enterprises.

Contingent;

(b) contingent expenses, in an amount not more than three per centum (3%) of the total amount stated pursuant to sub-division (a) of this section,

Interest and charges;

(c) interest and debt redemption charges,

Floating debt;

(d) payment of floating debt (to the extent that in any fiscal year beginning with the fiscal year one thousand nine hundred and thirty-eight tax revenue obligations outstanding exceed the limitations of section four hundred fourteen).

Deferred charges;

(e) deferred charges and statutory expenditures.

Judgments;

(f) the payment of all judgments not for capital purposes and to pay which notes or bonds cannot lawfully be issued,

Reserves;

(g) such reserves as may be required by this act, or deemed advisable by the governing body, and

Deficit.

(h) cash deficit of preceding year (to extent provided by section two hundred fifteen).

Preceding budget and payments shown.

In parallel columns opposite the several items of appropriation shall be placed the amount appropriated for each such item in the budget of the next preceding fiscal year, as modified by all transfers of appropriations, and the several amounts expended during such year for each such item and

any other items, including the actual or estimated amount of liabilities incurred for such items but not paid.

3. Section two hundred and eleven of said act is hereby amended to read as follows: Section 211 amended.

211. Required appropriations. Until the county or municipality shall be on a full cash basis, as hereinafter provided, the following appropriations shall be made in the budget of each fiscal year: (a) An appropriation of the amount required to meet such portion of any deficit caused by cancelling or remitting or charging off as uncollectible any taxes levied in previous fiscal years as was not provided for by deductions from the unexpended balances of appropriations transferred to the surplus revenue account; (b) In the budget for any fiscal year beginning with the fiscal year one thousand nine hundred and thirty-eight, an appropriation of the amount required to pay all unpaid obligations or liabilities incurred in any fiscal year (other than tax anticipation or tax revenue notes or bonds) including any amounts unpaid and owing by any municipality or its collector for school, county, State and local district taxes, other than the two immediately preceding fiscal years; (c) An appropriation of the amount required to meet any deficit caused by the failure to collect miscellaneous revenues or dedicated revenues in the amount estimated in the budget of the preceding fiscal year; (d) An appropriation of the amount required to meet any anticipated deficit in expenditures to which dedicated revenues are lawfully applicable, as stated in the budget. Appropriations in budget.

4. Section four hundred and fourteen of said act is hereby amended to read as follows: Section 414 amended.

414. Limitation of amount. Beginning with the fiscal year one thousand nine hundred and thirty-eight the amount of tax revenue notes of any fiscal year outstanding at any one time shall not exceed an amount certified as the gross borrowing power and no such notes shall be authorized in excess of Limiting amount of notes:

an amount certified as the net borrowing power, each computed and certified as follows:

Gross borrowing power;

(1) The gross borrowing power in respect of tax revenue notes of 19.., being the total amount of taxes levied for such fiscal year (for all purposes in the case of a municipality, and for county purposes in the case of a county) remaining delinquent and unpaid, is $.....

Anticipation bonds and notes;

(2) The total amount of bonds and notes outstanding in anticipation of the collection of taxes of such fiscal year, including tax anticipation bonds and notes of such fiscal year, except such bonds and notes as will be renewed by or paid from the proceeds of the notes to be issued, is $.....

Excess;

(3) The excess of item (1) over item (2) above is $.....

Percentage of taxes levied;

(4) ..... per centum (.....%) (such percentage being as follows in the following fiscal years: 1938—30%, 1939—25%, 1940—20%, 1941—15%, 1942—10%, 1943—5%) of the aggregate amount of all taxes levied in the next preceding fiscal year (for all purposes, in the case of a municipality, and for county purposes, in the case of a county) is $.....

Bonds and notes anticipating taxes;

(5) The total amount of all bonds and notes outstanding in anticipation of the collection of taxes of all prior fiscal years, except such bonds and notes as will be renewed or paid from the proceeds of the notes to be issued, is $.....

Excess;

(6) The excess of item (4) over item (5) above is $.....

Net borrowing power.

(7) The net borrowing power, being the smaller of items (3) and (6) above, is $.....

Certification.

Such certificate shall be made as of a date not more than ten days prior to the authorization of such notes nor more than forty days prior to their issuance, and shall be signed by the financial officer who is designated to sign such notes, filed in the office of the clerk, and quoted in full in the resolution authorizing the issuance thereof.

5. This act shall take effect immediately.

Approved March 9, 1937.

CHAPTER 11

AN ACT to supplement an act entitled "An act concerning municipal and county finances" (Revision of 1936), approved June twenty-fourth, one thousand nine hundred and thirty-six, and constituting chapter two hundred and eleven of the pamphlet laws of one thousand nine hundred and thirty-six.

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

Final adoption of budget extended a month.

1. The dates for the approval, hearing and the final adoption of the budget and appropriate resolutions in connection with county and municipal budgets shall be extended one month, and the date of certifying the amounts to be raised by taxes to the county board of taxation and all other procedures and requirements pertaining to the county and municipal budget for one thousand nine hundred and thirty-seven shall be extended for one month.

Time for certifying amounts.

Rescission and substitution.

2. In the event that any municipality or any county shall have adopted its budget and/or any resolutions approving the same it shall be lawful for such municipality or county to rescind such action and substitute therefor a new, amended or revised budget with appropriate resolutions; *provided,* that same be finally approved or adopted and the resolutions supporting same be passed in accordance with the one month extended time as provided in section one hereof.

Proviso.

Provisions of act governing.

3. This act shall take effect immediately; *provided,* that any budget affected by the provisions of this act shall be finally approved and adopted under the provisions of the act to which this act is a supplement.

Approved March 9, 1937.

CHAPTER 12

AN ACT to ratify, confirm, validate and make legal and effectual certificates of tax sale issued pursuant to the provisions of "An act concerning unpaid taxes, assessments and other municipal charges on real property, and providing for the collection thereof by the creation and enforcement of liens thereon" (Revision of 1918), approved March fourth, one thousand nine hundred and eighteen.

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

Certificates of tax sales issued under certain conditions validated.

1. Whenever a sale for unpaid taxes, assessments and other municipal charges on real property has heretofore been held in any municipality and the collector or other officer charged by law in such municipality to hold such sale has sold parcels of real property in such municipality to the said municipality pursuant to the act to which this act is a supplement, and the amendments thereto and supplements thereof, but has failed to hold said sale within eight weeks from the time fixed for the sale as set forth in the public notice of the time and place of sale, which said notice has been published as required by law and has thereafter held said sale without giving a new public notice and has thereafter issued certificates of tax sale duly executed by the officer holding such sale, such sale and the certificates of tax sale issued thereunder shall be valid and effectual in all respects; *provided, however,* that nothing herein contained shall affect the rights of any innocent purchaser for value who may have acquired an interest in the property described in any such certificate.

Proviso.

Purchaser protected.

2. This act shall take effect immediately.

Approved March 9, 1937.

CHAPTER 13

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

Time for completing railroads extended.

Proviso.

Proviso.

Waiver of exemption filed.

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

Proviso.

Proviso.

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

Approved March 11, 1937.

CHAPTER 14

AN ACT to amend an act entitled "An act relating to the funding or refunding of outstanding bonds or notes by municipalities," approved June eleventh, one thousand nine hundred and thirty-four.

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

Section 3 amended.

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

Not to exceed 10% of assessment.

3. Except as hereinafter in this section provided, no municipality which shall issue refunding bonds pursuant to this act shall thereafter issue bonds or notes for any purpose, except refunding bonds issued pursuant to this act, and except bonds or

notes issued for a supply of water, and bonds or notes issued in anticipation of the collection of taxes which have not been delinquent more than fifteen months, if the issuance of such bonds or notes will increase the aggregate amount of all bonds or notes then outstanding, other than bonds or notes issued for a supply of water, or bonds or notes issued in anticipation of the collection of taxes which have not been delinquent more than fifteen months, to an amount which exceeds ten per centum (10%) of the last preceding assessed valuation of the taxable real property in such municipality. Notwithstanding anything contained in this section, any municipality which shall issue refunding bonds pursuant to this act may thereafter issue bonds or notes for any purpose, if the aggregate amount of such bonds or notes issued subsequent to the issuance of refunding bonds pursuant to this act and then outstanding (not including refunding bonds issued pursuant to this act) does not exceed two per centum (2%) of the last preceding assessed valuation of the taxable real property in such municipality. Notwithstanding anything contained in this section, any municipality may issue bonds or notes in any amount pursuant to any other act, for the purpose of renewing, funding or refunding bonds or notes theretofore issued pursuant to law, and may issue bonds which shall have been authorized prior to the issuance of any bonds pursuant to this act. Notwithstanding anything in this act contained, no municipality shall issue any notes, bonds or other obligations, except refunding bonds issued pursuant to this act, in excess of any debt limitation imposed by any other act or acts.

Other issues.

Renewals.

Not exceed debt limit.

2. This act shall take effect immediately.

Approved March 17, 1937.

CHAPTER 15

A FURTHER SUPPLEMENT to an act entitled "An act relating to, regulating and providing for the government of municipalities, except counties, by a municipal council and a municipal manager," approved March nineteenth, one thousand nine hundred and twenty-three.

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

Section 12 added to Article XIV.

1. The act to which this act is a supplement is hereby further supplemented by the addition of the following paragraphs to article fourteen, to be entitled and to read as follows:

Exception to act.

12. The provisions of this act shall not apply to any municipality which, immediately prior to the adoption of the act to which this act is a supplement, had operated under the provisions of an act entitled "An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages, and municipalities governed by boards of commissions or improvement commissions in this State," approved April second, one thousand nine hundred and twelve, as supplemented and amended.

Resuming former government.

Any such municipality may revert to its former form of government by electing to do so under the provisions of the act entitled "An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and municipalities governed by boards of commissions or improvement commissions in this State," approved April second, one thousand nine hundred and twelve, as supplemented and amended.

2. This act shall take effect immediately.

Approved March 22, 1937.

CHAPTER 16

AN ACT to amend an act entitled "An act appropriating to the State Financial Assistance Commission, created pursuant to chapter eighty-three of the laws of nineteen hundred and thirty-six, all moneys in the treasury of the State standing to the credit of the Emergency Relief Administration," approved June twenty-fourth, one thousand nine hundred and thirty-six.

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

Section 2 amended.

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

Use of appropriated moneys.

2. The moneys herein appropriated to the State Financial Assistance Commission shall be used by said commission for the payment of all necessary expenses of administration of said commission, and for the payment of all outstanding obligations of the Emergency Relief Administration and expenses incurred in the liquidation and settlement of the affairs of the said Emergency Relief Administration and for apportionment to municipalities during the calendar year one thousand nine hundred and thirty-seven, for the purpose of meeting the cost of public assistance under chapter eighty-three of the laws of nineteen hundred and thirty-six; *provided,* such sum for apportionment shall not be in excess of one million seven hundred and fifty thousand dollars ($1,750,000.00), which said sum is hereby appropriated.

Proviso.

Act effective.

2. This act shall take effect January first, one thousand nine hundred and thirty-seven.

Approved March 31, 1937.

CHAPTER 17

AN ACT in relation to the abatement, revision, alteration, adjustment and settlement of past due transfer inheritance taxes and interest.

WHEREAS, A public emergency exists by reason of the abnormal disruption of economic and financial processes affecting the conduct of the business of liquidating and settling estates of deceased persons; therefore,

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

Adjusting inheritance taxes.

1. It shall be lawful for the State Tax Commissioner to make such abatement, revision, alteration, adjustment and settlement of any past due transfer inheritance taxes, both of principal and of any and all interest and penalties thereon, as such State Tax Commissioner shall deem equitable and just and be for the best interest of the State of New Jersey.

Adjusting deferred assessments.

2. It shall also be lawful for the State Tax Commissioner to make such abatement, revision, alteration, adjustment and settlement, both of principal and interest thereon, in cases where the assessment of a transfer inheritance tax has been deferred by reason of the fact that the interests of the beneficiaries were contingent or defeasible and an emergency existed because of which the estate was unable to protect the assets by refinancing, or otherwise, and the beneficiaries were unable to protect their interests due to their lack of financial resources, with the result that the property which would have passed to the beneficiaries has been entirely lost through foreclosure proceedings or depreciation in value so that none of the beneficiaries has received or will receive the said property.

Void unless stipulated amount paid.

3. In case of the abatement or revision of any such transfer inheritance taxes and penalties, such abatement or revision shall be null and void unless the amount agreed upon by said State Tax Commissioner to be paid in satisfaction thereof shall be paid within sixty days thereafter. If judgment or decree has been entered in favor of the State of New Jersey, the State Tax Commissioner, upon payment of the amount agreed upon or upon determination that the assessment be cancelled, shall execute and record a proper satisfaction of the judgment or decree in accordance with the facts.

Satisfaction of judgment.

Legislation herein deemed additional.

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

Object to effect settlement.

It is the intent and purpose of this act to effect a settlement of all past due transfer inheritance taxes and the interest and penalties thereon, which unpaid transfer inheritance taxes and interest and penalties are for the most part uncollectible as the result of the absence of a market for the sale of property, real or personal, and the inability to obtain loans.

Liberal construction of act.

The provisions of this act shall be interpreted and construed liberally in order to accomplish the purpose thereof, and the State Tax Commissioner shall have, in addition to his other powers and those in this act specified, all additional, implied and incidental powers as shall be proper and necessary to effect and carry out the expressed intent and purpose of this act.

Expiration of act.

5. This act shall be deemed a public act. It shall be inoperative and of no effect after June thirtieth, one thousand nine hundred and thirty-eight.

6. This act shall take effect immediately.

Approved April 6, 1937.

CHAPTER 18

AN ACT to define the duties of the commission commonly known as the State of New Jersey, Delaware and Raritan Canal Commission, and to provide an appropriation therefor.

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

Duties of commission relative to canal.

1. The duties of the commission which was revived and continued by chapter two hundred and fifty-four of the laws of nineteen hundred and thirty-six, which commission is commonly known as the State of New Jersey, Delaware and Raritan Canal Commission, shall be to collect and collate such necessary information as to the cost of improvements, maintenance, anticipated revenues, prospective savings and potential traffic of such canal as a navigable waterway as shall facilitate the Federal Government in obtaining data which will be inducive to the taking over of the Delaware and Raritan Canal by the Federal Government; and in addition thereto the commission shall make such investigations as may be necessary to furnish information relative to the Delaware and Raritan Canal, and at such time as may be deemed expedient, the commission shall report to this Legislature or a succeeding Legislature, its recommendations for the ultimate use or disposal of the Delaware and Raritan Canal and its appurtenances.

Information sought.

Secretary's compensation.

2. That the members of this commission shall continue without compensation, excepting the commission may pay a sum, not exceeding eight hundred dollars ($800.00) per annum, to the secretary thereof, in lieu of traveling expenses or other compensation.

Appropriation.

3. The sum of ten thousand dollars ($10,000.00) is hereby appropriated to the commission in order to complete the work herein provided for.

4. All acts and parts of acts inconsistent herewith are hereby repealed to the extent necessary to make the provisions hereof effective and this act shall take effect immediately. Repealer.

Approved April 10, 1937.

CHAPTER 19

AN ACT providing for the appropriation of twenty-five thousand dollars ($25,000.00) for payment of the reward to the person or persons who furnished information which resulted in the apprehension and conviction of the kidnapper of Charles A. Lindbergh, Jr.

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

1. To pay the reward of twenty-five thousand dollars ($25,000.00) offered by the State of New Jersey by virtue of the provisions of chapter one hundred and sixty-four of the laws of one thousand nine hundred and thirty-two, and the proclamation of the then Governor of the State of New Jersey, dated the twenty-fourth day of May, one thousand nine hundred and thirty-two, there is hereby appropriated the sum of twenty-five thousand dollars ($25,000.00) from the treasury of the State of New Jersey to be paid to the person or persons who furnished information which resulted in the apprehension and conviction of the kidnapper of Charles A. Lindbergh, Jr. Appropriation to pay certain award.

2. This act shall take effect immediately.

Approved April 14, 1937.

New Jersey State Library

CHAPTER 20

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

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

Distribution of school moneys to regional high schools.

1. In all counties wherein a regional high school has been established, it shall be lawful for the county superintendent of schools, for the school year 1937-1938, to apportion on or before the first day of April the State school moneys to the regional board of education. The apportionment shall be made on the estimated number of teachers employed by said regional board of education for the school year 1937-1938.

2. This act shall take effect immediately.

Approved April 13, 1937.

CHAPTER 21

AN ACT concerning the dissolution of corporations.

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

On dissolution certain requirements not necessary.

1. After this act becomes effective it shall no longer be necessary for the Secretary of State, before issuing a certificate of dissolution respecting any corporation, to require that there first be filed with him a certificate evidencing the payment, by the corporation, of all taxes, fees, penalties and

interest due from it to the State of New Jersey by virtue of the provisions of an act entitled "An act imposing taxes for the privilege of selling tangible personal property at retail, providing for the disposition of the proceeds therefrom, and prescribing the method of collection," being chapter two hundred sixty-eight of the laws of one thousand nine hundred thirty-five.

Evidence of payment of certain charges unnecessary.

2. After this act becomes effective it shall no longer be necessary for any court, before signing a decree of dissolution respecting any corporation, to require that there first be filed with the court a certificate evidencing the payment, by the corporation, of all taxes, fees, penalties and interest due from it to the State of New Jersey by virtue of the provisions of an act entitled "An act imposing taxes for the privilege of selling tangible personal property at retail, providing for the disposition of the proceeds therefrom, and prescribing the method of collection," being chapter two hundred sixty-eight of the laws of one thousand nine hundred thirty-five.

3. This act shall take effect immediately.

Approved April 14, 1937.

CHAPTER 22

AN ACT to authorize the Governor to convey the estate of New Jersey in certain lands to the city of Paterson.

Preamble.

WHEREAS, The city of Paterson, under date of August seventeenth, one thousand nine hundred and thirty-one, conveyed to the State of New Jersey a tract of land of one hundred twenty-one acres, more or less, and known as the Almshouse Site, in the city of Paterson, and more particularly described as follows:

Metes and bounds of tract.

Beginning on the west side of Crakall Vol where the line between the premises hereby conveyed and the easterly line of the lands conveyed by Ira Ryerson to the S. U. M. intersects the said Crakall Vol and from which beginning the chimney of Wastins dwelling house bears south twenty-two degrees, twenty minutes east (S. 22° 20′ E.), and the chimney of Walter Hylers dwelling house bears north eighty-six degrees, twenty-five minutes east (N. 86° 25′ E.), thence running (1) along said line north thirty-three degrees, thirty minutes west (N. 33° 30′ W.) thirty-one (31) chains twenty-two (22) links to a corner (2) north forty-three degrees, twenty minutes east (N. 43° 20′ E.) five (5) chains, eighty-four (84) links to a corner (3) north forty-six degrees thirty minutes west (N. 46° 30′ W.) eight (8) chains, twenty-four (24) links to land now or formerly of John Lyon (4) along the line of the same north forty-three degrees twenty minutes east (N. 43° 20′ E.) twelve (12) chains, seventy-one (71) links to land formerly of John Petry (5) along the same south forty-nine degrees east (S. 49° E.) eight (8) chains, nine (9) links to a corner (6) south fifty-five degrees east (S. 55° E.) six (6) chains, seven (7) links to the southeasterly corner of the farm formerly of Petry (7) along the line of said farm north fifty degrees fifty minutes east (N. 50° 50′ E.) five (5) chains, eight (8) links to the middle of the old Preakness road (8) along the middle of the same south thirty-four degrees thirty minutes east (S. 34° 30′ E.) seven (7) chains, twenty (20) links (9) along the line of land of William R. Doremus north forty-three degrees fifteen minutes east (N. 43° 15′ E.) eleven (11) chains, forty-eight links to the public road formerly the Paterson and Hamburgh turnpike (10) along the same south thirty-four degrees forty minutes east (S. 34° 40′ E.) fourteen (14) chains, twenty-nine (29) links (11) along the land of John Van Houten south forty-three degrees fifty minutes west (S. 43° 50′ W.)

seven (7) chains, fifty (50) links to a corner (12) south nineteen degrees thirty minutes west (S. 19° 30′ W.) four (4) chains, eighty-four (84) links to the said Crakall Vol and middle of said Preakness road (13) along the middle of said Preakness road south thirty-two degrees east (S. 32° E.) two (2) chains (14) along the land formerly of John Van Hounten south thirty-five degrees forty minutes west (S. 35° 40′ W.) four (4) chains, ten (10) links to said Crakall Vol, thence down the same the several courses thereof to the place of beginning.

Containing one hundred two and twenty-two one-hundredths (102 22/100) acres, more or less; and Acreage.

WHEREAS, It was the intention of the city of Paterson when this conveyance was made to convey this property for the use of the State Board of Education for the erection of a State normal school; and Preamble.

WHEREAS, The State Board of Education has not erected said normal school and it is the desire of the city of Paterson to have this property reconveyed to the city; therefore, Preamble.

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

1. That the Governor of this State, for the nominal consideration of one dollar ($1.00), but at the expense of the said city of Paterson, do make to it under the great seal of the State, subscribed by him and attested by the Secretary of State, a deed of the State of New Jersey in due form to release and convey to the said city of Paterson in fee simple all the right, title and interest the State of New Jersey has in said tract of land with the appurtenances. Property redeeded by State to city of Paterson.

Approved April 14, 1937.

CHAPTER 23

AN ACT to amend an act entitled "A further supplement to an act entitled 'An act concerning landlords and tenants,' approved March twenty-seventh, one thousand eight hundred and seventy-four," which further supplement was approved March fourth, one thousand nine hundred and three.

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

Section 1 amended.

1. Section one of an act entitled "A further supplement to an act entitled 'An act concerning landlords and tenants,' approved March twenty-seventh, one thousand eight hundred and seventy-four," which was approved March fourth, one thousand nine hundred and three, be and the same is hereby amended to read as follows:

Removal of tenant.

1. Any lessee or tenant at will or at sufferance or for a part of a year, or for one or more years, of any houses, lands or tenements, and the assigns, under tenants or legal representatives of such tenant or lessee, may be removed from such premises by any district court in the county where such premises are situated, or, if such premises do not lie within a county in which there is a district court, then by any justice of the peace of the county where such premises are situate in the manner hereinafter prescribed in the following cases; *provided,* that this act shall not be construed so as to give the justices of the peace jurisdiction where district courts are established by law:

Proviso.

Service of notice of removal.

I. Where any such person shall hold over and continue in possession of the demised premises, or any part thereof, after the expiration of his or her term, and after demand made and notice in writing given for delivering the possession thereof, by the

landlord or his agent for that purpose, which notice shall be served either personally upon the tenant or such person in possession by giving him a copy thereof, or by leaving a copy thereof at his usual place of abode, with some member of his family above the age of fourteen years; or where for any reason such service cannot be had, then the same may be served by affixing a copy of such notice to the door of any dwelling, or such demised premises occupied by such tenant.

Holding over.

II. Where such person shall hold over after any default in the payment of the rent, pursuant to the agreement under which such premises are held.

Disorderly tenants.

III. Where such person shall be so disorderly as to destroy the peace and quiet of the other tenants living in said house or the neighborhood, or shall willfully destroy, damage or injure the premises, or shall constantly violate the landlord's rules and regulations governing said premises; *provided,* the said tenant has accepted in writing said rules or such rules are made a part of the lease; or shall commit any breach or violation of any of the covenants or agreements in the nature thereof contained in the lease for the premises where a right of re-entry is reserved in the lease for a violation of such covenants or agreements in the nature thereof; and shall hold over and continue in possession of the demised premises or any part thereof, after the landlord or his agent for that purpose has caused a written notice of the termination of said tenancy to be served upon said tenant, and a demand that said tenant remove from said premises so occupied by him within three days from the service of said notice, which said notice shall specify the cause of the termination of the tenancy, and shall be served either personally upon the tenant of such person in possession by giving him a copy thereof, or by leaving a copy thereof at his usual place of abode with some member of his family above the age of fourteen years.

Proviso.

Other breaches.

Continuance.

Cause of vacation.

Mode of service.

2. This act shall take effect immediately.

Approved April 14, 1937.

CHAPTER 24

AN ACT to amend an act entitled "An act concerning executors," approved April fourteenth, one thousand eight hundred and eighty-seven.

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

Section 1 amended.

1. Section one of the above mentioned act is hereby amended to read as follows:

Agreement by testator or intestate to be carried out.

1. It shall be lawful for any executor or executors of any last will and testament, or for any administrator or administrators, to whom letters testamentary or of administration have heretofore been or may hereafter be granted, to carry into effect the terms and conditions of any agreement for the purchase or sale of any lands, tenements, hereditaments and real estate made and entered into by the testator or testatrix or intestate; and any subsequent agreement made and entered into by the executor or executors or administrator or administrators in relation thereto shall be binding and effectual on all parties as if made by the testator or testatrix or intestate; and it shall be lawful for the said executor or executors or administrator or administrators to take title to the lands, tenements, hereditaments and real estate in said agreement named, at such times and upon such terms and conditions as he or they shall deem for the best interest of the estate, although by the provisions of the said last will and testament there is given no power to the executor or executors to receive and take title to lands, tenements, hereditaments and real estate, or although said decedent died intestate; and said lands, tenements or hereditaments shall be assets of the estate in the hands of said executor or executors or administrator or administrators as the case may be, and may be sold and conveyed by him or them without any order of court, and he or they shall receive, be accountable for and pay

Agreement binding.

Title taken.

Assumed powers.

Property considered assets.

over the proceeds of such sale or sales as other estate moneys in his or their hands; and where any executor or administrator shall die or be removed from office by any court of competent jurisdiction, then and in every such case, any sale or conveyance of such lands, tenements or hereditaments made by the surviving or acting executor or executors, administrator or administrators, or made by an administrator or administrators cum testamento annexo, or administrator or administrators of intestates' estates appointed by any court of competent jurisdiction in the place and stead of such deceased or removed executor or administrator, shall be construed to have vested and to vest in the purchaser or purchasers, grantee or grantees, the title to such lands, tenements or hereditaments, in the same manner and as fully to all intents and purposes as if all had been living or acting and had joined in such conveyance.

Proceeds of sale.

Vestment deemed to give valid title.

2. This act shall take effect immediately.

Approved April 14, 1937.

CHAPTER 25

AN ACT imposing franchise taxes upon certain foreign corporations for the privilege of exercising their franchises, doing business, or maintaining offices in this State; providing for the collection thereof; imposing certain penalties for violation thereof; and repealing all acts or parts of acts inconsistent therewith.

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

ARTICLE I

DEFINITIONS

Commissioner. 101. "Commissioner" means the State Tax Commissioner.

Doing business. 102. "Doing business" means the general prosecution of the ordinary business of a corporation, commercially, financially, or otherwise, within the scope of its corporate capacity and powers.

Exercising franchise. 103. "Exercising franchise" means having or possessing the right or privilege of doing business.

Fiscal year. 104. "Fiscal year" means an accounting period of twelve months ending on any day of any month other than the last day of December.

Gross income. 105. "Gross income" means the entire income of the taxpayer, derived from doing business, valued in money, including all receipts, cash, credits, property of any kind or nature, and any amount for which credit is allowed by the taxpayer to his customers or clients, without any deduction therefrom on account of the cost of the property sold, the cost of the materials used, labor or service costs, interest paid, losses, or any other expense whatsoever; *provided, however,* that gross income shall not include cash discounts allowed and taken on sales nor the sales price of property returned by

Proviso.

customers when the full sales price thereof is refunded either in cash or by credit.

106. "Income year" means the calendar year next preceding, or a fiscal year ending prior to the first day of April in the year in which the tax imposed by this act is due and payable. Income year.

107. "Taxpayer" means any corporation required to make a return, or subject to the tax imposed, by this act. Taxpayer.

ARTICLE II

TAX IMPOSED; EXEMPTIONS

201. A tax is hereby imposed upon every foreign corporation organized for pecuniary profit, except those corporations specifically exempted by this act, for the privilege of exercising its franchise in this State or for the privilege of doing business or maintaining an office in this State, which tax shall be measured by, and paid annually upon and with respect to, that proportion of the total capital stock issued and outstanding as of January first in each year as the gross income from the business done in this State in the same income year bears to the total gross income from its entire business in the income year, at the following rates: Tax levied on foreign corporations. Rates:

(a) As to shares having nominal or par value in the proportion heretofore set forth, one-tenth of one per centum (1/10%) on all amounts up to and including the sum of three million dollars ($3,000,000.00); and in addition on all amounts in excess of three million dollars ($3,000,000.00) and not exceeding five million dollars ($5,000,000.00), one-twentieth of one per centum (1/20%); and in addition on all sums in excess of five million dollars ($5,000,000.00), the sum of fifty dollars ($50.00) for each million dollars or any part thereof; Par value;

(b) As to shares without nominal or par value in the proportion heretofore set forth, three cents ($.03) for each share up to and including twenty thousand shares; and in addition on all such shares in excess of twenty thousand and not exceeding No par value.

thirty thousand, the sum of two cents ($.02) for each share; and in addition on all such shares in excess of thirty thousand and not exceeding forty thousand, the sum of one cent ($.01) for each share; and in addition on all such shares in excess of forty thousand and not exceeding fifty thousand, the sum of five mills for each share; and in addition on all such shares in excess of fifty thousand the sum of two and one-half mills for each share.

Minimum tax.

In no case shall the levy or tax against any corporation, not exempted from the provisions of this act, be less than twenty-five dollars ($25.00), whether or not such corporation derived any gross income from sources within this State during the income year.

Additional to other taxes.

The tax hereby imposed shall be in addition to all other taxes and shall be with respect to each year, beginning the first day of January and ending the thirty-first day of December, in which the tax is due and payable, or any part of such year; *provided, nevertheless,* that any such foreign corporation which shall have qualified to do business in the State of New Jersey during any calendar year shall not be called upon to file a corporate return, as hereinafter provided for in this act, or be subject to the tax imposed by this act for that calendar year in which the said corporation shall have qualified to do business in New Jersey.

Proviso.

As to filing return first year.

Exemptions.

202. There is hereby exempted from the provisions of this act banking, insurance, ferry, and railroad corporations; canal companies; savings banks; express companies; parlor, palace, or sleeping car companies; surety companies; and corporations using or occupying public streets, highways, roads, or other public places in this State.

Assets within State exempted.

203. There is also hereby exempted from the tax imposed by this act every foreign corporation ninety per centum (90%) or more of whose assets located within the State of New Jersey consists of bonds, debentures, shares of stock, notes, mortgages, certificates or evidences of indebtedness and other securities and intangible personal property

and whose principal business consists of purchasing, holding and selling for its own account bonds, debentures, shares of stock, notes, mortgages, certificates or evidences of indebtedness, participation or interest and other securities and intangible personal property, and of the receipt of interest, dividends or other income from such securities, and from other intangible property and royalties; *provided, however,* that to be exempted under this section, corporations shall annually file a report on or before the fifteenth day of August with the commissioner, in the form required by the commissioner, to claim such exemption, and shall pay a filing fee of twenty-five dollars ($25.00) with each report so filed, to cover the cost of investigating and determining the correctness of such exemption claim.

Proviso.

Fee paid on filing annual report.

Article III

RETURNS

301. The commissioner shall design a form of corporation return and forms for such additional statements or schedules as he may require to be filed therewith. Such forms shall provide for the setting forth of such facts as the commissioner may deem necessary for the proper enforcement of this act. He shall cause a supply thereof to be printed and shall furnish appropriate blank forms to each taxpayer upon application or otherwise as he may deem wise. Failure to receive a form shall not relieve any taxpayer from the obligation to file a return under the provisions of this act.

Form for making returns.

302. Every foreign corporation doing business in this State shall file with the commissioner a true and accurate return in the form prescribed by him. Each such return shall be made upon the oath or affirmation of the president, vice-president, or secretary or treasurer of said corporation, and in the case of a corporation in liquidation or in the hands of a receiver or trustee, shall be made on the oath or affirmation of the person responsible for the conduct of the affairs of such corporation.

Returns.

Annual returns.

303. All returns required by this act shall be filed on or before the fifteenth day of August in each year with the commissioner at his main office or any branch office that he may establish. The commissioner may grant a reasonable extension of time for filing returns whenever, in his judgment, good cause exists, and shall keep a record of every such extension and the reason therefor. No such extension shall be granted beyond the fifteenth day of November in the year in which the tax is due and payable.

Extension of filing returns.

Maximum date.

Consolidated returns.

304. (1) Any corporation owning the control of the stock or business of another corporation, under regulations to be prescribed by the commissioner, may be permitted or required to make a consolidated return showing the consolidated gross income and such other information as the commissioner may require in order to compute the gross income properly attributable to this State and the tax imposed by this act.

As to same interest.

(2) The commissioner may permit or require the filing of a consolidated return where substantially the entire control of two or more taxpayers, liable to taxation under this act, is exercised by the same interest.

Distorted income returns.

(3) Where the commissioner has reason to believe that any taxpayer so conducts its trade or business as either directly or indirectly to distort its true gross income and the gross income properly attributable to the State, whether by the arbitrary shifting of income, through price fixing, charges for services, or otherwise, whereby the gross income is arbitrarily assigned to one or another unit in a group of taxpayers carrying on a business under a substantial common control, he may require such facts as he deems necessary for the proper computation of the entire gross income and the gross income properly attributable to this State.

Additional facts may be demanded.

ARTICLE IV

COLLECTION OF TAX

When tax payable.

401. The total amount of the tax imposed by this act shall be paid to the commissioner on the date fixed in section three hundred and three of this act for the filing of returns.

Interest on extended payments.

402. If the time for filing a return shall be extended, the payment of the tax shall be postponed to the date fixed by such extension for the filing of the return but the taxpayer shall pay, in addition to the tax, interest thereon at the rate of six per centum (6%) per annum from the time when the return was originally required to be filed to the time of payment under such extension.

Failure to make returns, estimated liability imposed.

403. If any taxpayer shall fail to make a return or any report as herein required, the commissioner may make an estimate of the taxable liability of such taxpayer, from any information he may obtain and, according to such estimate so made by him, assess the tax, penalties, and interest due the State from such taxpayer, give notice of such assessment to the taxpayer, and make demand upon it for payment. Thereupon the amount so assessed shall be due and payable within thirty (30) days.

Examination of returns.

404. After a return is filed under the provisions of this act, the commissioner shall cause it to be examined and may make such further audit or investigation as he may deem necessary, and if therefrom he shall determine that there is a deficiency with respect to the payment of the tax due under this act, he shall assess the additional taxes, penalties, and interest due the State from such taxpayer, give notice of such assessment to the taxpayer, and make demand upon it for payment. Thereupon the amount so assessed shall be due and payable within thirty (30) days.

If deficiency, penal assessment.

Removal from State or concealment of proceedings.

405. If the commissioner finds that a taxpayer designs to remove its property from the State, or to conceal its property, or to discontinue business, or to do any other act tending to prejudice or render

wholly or partly ineffectual proceedings to collect such tax, unless such proceedings be brought without delay, the commissioner shall cause notice of such finding to be given to such taxpayer together with a demand for an immediate return and immediate payment of such tax. Thereupon such tax shall become immediately due and payable.

Penalty added to delayed payments.

406. If payment of any assessment, made pursuant to the provisions of sections four hundred and three, four hundred and four or four hundred and five of this act, be not made at, or within, the time when due, there shall be added to the amount so assessed, as a penalty, a sum equivalent to twenty-five per centum (25%) thereof and, in addition thereto, interest at the rate of one per centum (1%) a month for each month or fraction thereof that it shall remain unpaid. All such penalties and interest shall be payable to, and recoverable by, the commissioner in the same manner as if the penalty or interest were a tax imposed by this act.

Further penalty.

Remission of penalty.

If the failure to pay any such assessment when required to be paid is explained to the satisfaction of the commissioner, he may remit or waive the payment of the whole or any part of such penalty and interest.

Protests.

407. If any taxpayer shall be aggrieved by any finding or assessment of the commissioner, it may, within twenty (20) days of receipt of the notice of assessment or finding, file a protest in writing, signed by its duly authorized agent, which shall be under oath and shall set forth the reason therefor. The taxpayer after filing such protest may also request a hearing. The commissioner shall grant a hearing to the taxpayer, if so requested. He may make an order confirming, modifying, or vacating any such finding or assessment. The filing of any such protest shall not abate penalties for nonpayment, nor shall it stay the right of the commissioner to collect the tax in any manner herein provided, unless the taxpayer shall furnish security of the kind and in the amount satisfactory to the commissioner.

Hearing.

Finding.

When security provided.

Period for determining tax.

408. Except in the case of a willfully false or a fraudulent return with intent to evade the tax, the amount of tax due under any return shall be determined by the commissioner within three years after the return shall have been made.

Recovery of tax, penalty, etc.

409. The tax, penalties, and interest imposed by this act from the time they shall be due, shall be a debt of the taxpayer to the State of New Jersey, recoverable in any court of competent jurisdiction, in an action at law brought by the State Tax Commissioner in the name of the State of New Jersey. Such debt, whether sued upon or not, shall be a lien on all the property of the debtor except as against an innocent purchaser for value in the usual course of business and without notice thereof, and shall have preference in any distribution of the assets of the taxpayer whether in bankruptcy, insolvency, or otherwise. The proceeds of any judgment obtained hereunder shall be paid to the commissioner.

Debt a lien.

Preference in distributions.

Other remedy.

410. As an additional or alternative remedy, the commissioner may issue a certificate, to the clerk of the Supreme Court or to the clerk of the court of common pleas of any county, that any corporation is indebted under this act in an amount named in such certificate, and thereupon the clerk to whom such certificate shall have been issued shall immediately enter upon his record of docketed judgments the name of such corporation, as judgment debtor to the State under this act, the amount of the debt so certified, and the date of making such entries; and the making of the entries shall have the same force and effect as the entry of a docketed judgment in the office of such clerk, and the commissioner shall have all of the remedies and may take all of the proceedings for the collection thereof which may be had or taken upon the recovery of a judgment in action at law upon contract, but without prejudice to the taxpayer's right of appeal.

Record.

Effect of entry.

Release from lien.

411. The commissioner, upon application made to him and upon the payment of a fee of one dollar ($1.00), may release any property from the lien of any certificate, judgment, or levy procured by him;

Proviso.

provided, payment be made to the commissioner of such sum as he shall deem adequate consideration for such release or provided a deposit shall be made with the commissioner of such security as he shall deem adequate to secure the payment of any debt evidenced by any certificate, judgment, or levy, the lien of which is sought to be released. 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.

Form of release.

Refund.

412. Any taxpayer, at any time within two years after the payment of any original or additional tax assessed against it, may file with the commissioner a claim, under oath, for refund, in such form as the commissioner may prescribe, stating the grounds therefor; *provided, however,* that no claim for refund shall be required or permitted to be filed with respect to a tax paid, after protest has been filed with the commissioner or after proceedings on appeal have been commenced as provided in this act.

Proviso.

Refund of overpayment.

413. If upon examination of such claim for refund it shall be determined by the commissioner that there has been an overpayment of tax, the claim shall be approved by him and shall be paid by warrant of the comptroller from the appropriation for this purpose. If the commissioner shall reject the claim for refund in whole or in part, he shall make an order accordingly and serve a notice thereof upon the taxpayer.

Details of refunding.

414. Where no questions of fact or of law are involved and it appears from the records of the commissioner that any moneys have been erroneously or illegally collected from any taxpayer or other person or have been paid by any taxpayer or other person under a mistake of fact or law, the commissioner, without requiring the filing of any claim therefor, may at any time, upon making a record in writing of his reasons therefor, certify to the comptroller that the taxpayer or other person is entitled to such refund and thereupon the comptroller shall authorize the payment thereof from the appropriation for this purpose.

Penalties for failure to file return or supply information.

415. Any taxpayer which shall fail to file its return when due, shall be liable to a penalty of one dollar ($1.00) for each day of delinquency. Any taxpayer which, after demand by the commissioner, shall fail to file any return or to supply any information required by this act shall be liable to a penalty of not more than one hundred dollars ($100.00).

Penalties for failure to pay tax.

416. Any taxpayer which shall fail to pay the tax imposed by this act, on or before the day when it shall be required to be paid, shall pay a penalty of five per centum (5%) of said tax if payment is made within thirty (30) days therefrom, or of ten per centum (10%) of said tax if payment is not made within thirty (30) days therefrom, or of twenty-five per centum (25%) of said tax if payment is not made within thirty (30) days after demand therefor; and in either of said cases, in addition thereto interest on said tax at the rate of one per centum (1%) each month or fraction thereof that it remains unpaid, to be calculated from the date the tax was originally due.

Penalty for fraudulent return.

417. Any taxpayer who shall file a fraudulent return shall pay a penalty of fifty per centum (50%) of the amount of any deficiency tax assessed under section four hundred four of this act.

Recovery of penalties and interest.

418. All penalties and interest imposed under this act shall be and become a part of the tax, and shall be payable to, and recoverable by, the commissioner as a part of the tax imposed by this act.

Remission of penalty.

419. The commissioner, if satisfied that the failure to comply with the provisions of this act respecting filing returns and making payment of taxes was excusable, may remit the whole or any part of any penalty imposed therefor under this act.

Revocation of authority by Secretary of State.

420. In the event of failure or neglect of any such taxpayer to pay the tax imposed by this act, on or before the first day of December in each year, immediate notice thereof shall be given by the commissioner to the Secretary of State who shall immediately revoke the certificate of authority of said corporation to do business in the State of New

Jersey and notice of such revocation shall be given by the Secretary of State to the corporation affected and thereafter such corporation, so far as the further transaction of business in the State of New Jersey is concerned, shall be in the same condition as if no certificate of authority had ever been issued to it by the Secretary of State, but remedies provided by this act for the collection of the tax and interest and penalties shall remain unimpaired.

Injunction to enforce remedies.

421. In addition to other remedies for the collection of the tax imposed by this act, it shall be lawful for the Attorney-General, either of his own motion or upon the request of the commissioner, whenever any tax due under this act shall have remained in arrears for a period of three months after the tax shall have become payable, to apply to the Court of Chancery, by petition in the name of the State, on five days' notice to such corporation, which notice may be served in such manner as the Chancellor may direct, for an injunction to restrain such corporation from the exercise of any franchise, or the transaction of any business within this State until the payment of such tax and penalties and interest due thereon, and the costs of such application, to be fixed by the Chancellor; the said court is hereby authorized to grant such injunction, if a proper case appear, and upon the granting and service of such injunction it shall not be lawful for such company thereafter to exercise any franchise or transact any business in this State until such injunction be dissolved.

Restraining use of franchise.

Injunction granted by chancery.

As to issuing new certificate.

422. After the revocation of any such certificate of authority, no new certificate shall be issued by the Secretary of State to such defaulting corporation until the payment of all assessments imposed hereunder and remaining unpaid with penalties and interest and any costs that may have accrued, such payment to be evidenced by a certificate of the commissioner.

Information furnished commissioner by Secretary of State.

423. The Secretary of State shall certify to the commissioner, within thirty (30) days after the end of each calendar month, abstracts of all certificates

or other information of foreign corporations required to be filed in the office of said secretary, that may be necessary to the carrying out of the provisions of this act.

ARTICLE V

ADMINISTRATION

Rules and regulations.

501. The commissioner is hereby authorized and empowered to carry into effect the provisions of this act and in pursuance thereof to make and enforce such rules and regulations as he may deem necessary.

Auditing.

502. For the purpose of administering this act, the commissioner, whenever he deems it expedient, may make or cause to be made by any employee of the State Tax Department, engaged in the administration of this act, an audit, examination, or investigation of the books, records, papers, vouchers, accounts, and documents of any taxpayer. It shall be the duty of every taxpayer and of every director, officer, agent, or employee of every taxpayer to exhibit to the commissioner or to any such employee of the State Tax Department all such books, records, papers, vouchers, accounts, and documents of the taxpayer and to facilitate any such audit, examination, or investigation so far as it may be in its or their power so to do. It shall be lawful for the commissioner, or any employee in the State Tax Department by him thereunto designated, to take the oath of any person signing any application, deposition, statement, or report required by the commissioner in the administration of this act. The provisions of this section shall also apply to any corporation which the commissioner has reason to believe is liable to the tax imposed by this act.

Books, accounts, etc., shown commissioner or representative.

Oaths.

Hearings, witnesses.

503. The commissioner, or any employee of the State Tax Department by him thereunto designated, may conduct hearings, administer oaths to, and examine under oath, any taxpayer and the directors, officers, agents, and employees of any taxpayer and as well all other witnesses relative to

the liability of the taxpayer for any taxes pursuant to the provisions of this act.

Subpœnaing.

504. The commissioner or his deputies shall have power by subpœna to compel the attendance of witnesses and the production of any books, records, papers, vouchers, accounts, or documents of any taxpayer which the commissioner has reason to believe is liable to the tax imposed by this act, at any hearing held pursuant to the provisions of this act. The fees of witnesses required to attend any such hearing shall be the same as those allowed to witnesses appearing in the Supreme Court. Such fees shall be paid in the manner provided for the payment of other expenses incident to the administration of this act.

Witness fees.

Order compelling attendance of subpœnaed witness.

505. If a person subpœnaed to attend any hearing under this act refuses to appear, be examined, or answer any question, or produce any books, records, papers, vouchers, accounts, or documents when subpœnaed so to do by the commissioner or any deputy, the commissioner or such deputy may apply to the Supreme Court or to any justice thereof, who shall have the power of the court, for that purpose, upon proof by affidavit of such refusal, to make an order, returnable in not less than two nor more than ten days, directing such person to show cause before the court or a justice thereof why he should not obey the command of such subpœna. Upon the return of such order, the court or justice, before whom the matter shall come, shall examine the person, under oath, and the person shall be given an opportunity to be heard, and if the court or justice shall determine that he refuses without legal excuse to obey the command of such subpœna, or to be examined, or to answer any question, or to produce any books, papers, vouchers, records, accounts, or documents which he was by subpœna commanded to answer or produce, said court or justice may order said person to comply forthwith with such subpœna or order and any failure to obey such order of the court or of such justice may be punished by said court or by said justice as a contempt of the Supreme Court.

Examination.

Penalty for not complying.

Service of notices.

506. Any notice required to be given by the commissioner pursuant to this act may be served personally upon any director or officer of any taxpayer, or by mailing the same to the taxpayer for which it is intended, addressed to such taxpayer at the address given in the last return filed by it pursuant to the provisions of this act, or if no return has been filed, then to such address as may be obtainable. The mailing of such notice shall be presumptive evidence of the receipt of the same by the taxpayer to which it was addressed.

Deputy commissioner.

507. The commissioner may appoint an assistant or deputy to administer this act and such other assistants as he may deem necessary, and may establish, equip, and maintain one office at such place in this State as he shall determine, subject always to the appropriations provided therefor. The assistant or deputy appointed under this act, and not more than three employees assigned to special and confidential duties in connection therewith or whose duties require them to be attorneys, shall be in the unclassified civil service. In case an employee in the classified service is appointed as assistant or deputy, he shall continue to have such rights of tenure in the classified service as he formerly possessed.

Office.

As to civil service.

Tenure.

Necessary records kept by taxpayer.

508. Every taxpayer shall keep such records as may be necessary to the determination of whether or not such taxpayer is liable to a tax under the terms of this act and the amount of such tax. All such records shall be safely preserved for a period of three years in such manner as to insure their security and accessibility for inspection by the commissioner or any employee of the State Tax Department engaged in the administration of this act. The commissioner may consent to the destruction of any such records at any time within said period.

Preserving records.

Records to be kept by commissioner.

509. The commissioner shall keep a record of all of his official acts and shall preserve copies of all rules, regulations, decisions, and orders made by him. Copies of any rule, regulation, decision, or order made by him, and of any paper or papers

filed in any office maintained by him, in the administration of this act, may be authenticated under his official seal, and when so authenticated shall be evidence in all courts of this State of the same weight and force as the originals thereof. For authenticating any such copy he shall be paid a fee of one dollar ($1.00).

Fee for certifying.

Records confidential.

510. The records and files of the commissioner relating to the administration of this act shall be considered confidential and privileged, and neither the commissioner nor any employee engaged in the administration of this act or charged with the custody of any such records or files shall divulge or disclose any information obtained from said records or files or from any audit, examination, or investigation of the records of any taxpayer.

Not divulge information.

Neither the commissioner nor any employee engaged in the administration of this act or charged with the custody of any such records or files shall be required to produce any of them for the inspection of any person or for use in any action or proceeding except in behalf of the commissioner, in an action or proceeding under the provisions of this act to which the commissioner is a party or in behalf of any party to any action or proceeding under the provisions of this act, when the records or files or the facts shown thereby are directly involved in such action or proceeding. Nothing herein contained shall be construed to prevent:

Permission:

Delivery of reports, etc., to taxpayer;

(1) The delivery to a taxpayer or its duly authorized representative of a copy of any return, report, or other paper filed by it pursuant to the provisions of this act;

Statistical information;

(2) The publication of statistics so classified as to prevent the identification of a particular report and the items thereof;

Inspection by legal authorities;

(3) The inspection by the Attorney-General or other legal representative of this State of the reports or files relating to the claim of any taxpayer which shall bring an action to review or set aside any tax imposed hereunder or against which an action or proceeding has been instituted in accordance with the provisions of this act;

(4) The examination of the said records and files by the Comptroller, Auditor, or State Commissioner of Finance, or by their respective duly authorized agents; Examination of records;

(5) The furnishing, at the discretion of the commissioner, of any information disclosed by said records or files or by any returns or reports filed with him under the provisions of this act, to the collector of internal revenue of the United States or the proper officer of any State imposing a tax upon such taxpayer, or the authorized representative of either such officer; *provided,* the statutes of the United States or of such other State, as the case may be, grant substantially similar privileges to the commissioner. Furnishing information to certain officials. Proviso.

511. All reports filed with the commissioner pursuant to the provisions of this act shall be preserved for three years and thereafter may be destroyed by order of the commissioner. Reports preserved three years.

Article VI

APPEALS

601. Any taxpayer which shall be aggrieved by any decision, order, finding, or assessment of the commissioner made pursuant to the provisions of this act or by any certification of debt to the clerk of a court, may appeal therefrom to the State Board of Tax Appeals, by filing a petition with said board within two years from the making of any such decision, order, finding, assessment, or certification, in the manner and form and subject to such terms and conditions as such board shall by rules prescribe. No such appeals shall stay the collection of any tax or the enforcement of the same by entry as a judgment, unless by order of such board, and then only after security approved by the commissioner or said board has been furnished to the commissioner. The judgment or order of the State Board of Tax Appeals respecting any matter arising under the provisions of this act may be reviewed by certiorari in the same manner as other judgments of said board. Taking appeal by taxpayer. Collection not stayed by appeal. Judgment or order reviewable by certiorari.

Refunds.

602. If by a decision or order of the State Board of Tax Appeals, or of any court of competent jurisdiction, the taxpayer shall be adjudged to be entitled to a refund, payment thereof shall be authorized by the Comptroller from the appropriation for refunds, upon presentation to him of a certified copy of such decision or order.

ARTICLE VII

PENALTIES

Penalty for evasion, failure to pay tax, etc.

701. Any corporation, or any officer or employee of any corporation, who, with intent to evade any tax or any part thereof, or any requirement of this act or any lawful requirement of the commissioner thereunder, shall fail to pay the tax or to make, render, sign, or verify any return or to supply any information within the time required by, or under the provisions of, this act or who, with like intent, shall make, render, sign, or verify any false or fraudulent return or statement, or shall supply any false or fraudulent information, shall be guilty of a misdemeanor and shall, upon conviction, be fined not to exceed one thousand dollars ($1,000.00) or be imprisoned not to exceed one year, or both, at the discretion of the court.

Certain acts deemed not supplied.

702. The failure to do any act required to be done by or under the provisions of this act shall be deemed an act committed in part at the office of the commissioner in Trenton. The certificate of the commissioner to the effect that a tax has not been paid, that a return has not been filed, or that information has not been supplied, as required by or under the provisions of this act, shall be prima facie evidence that such tax has not been paid, that such return has not been filed, or that such information has not been supplied.

ARTICLE VIII

MISCELLANEOUS

Expenses of administering the law.

801. The expense of administering this act shall be paid by the Treasurer upon the warrant of the Comptroller, upon the presentation of adequate vouchers by the commissioner. There is hereby reappropriated from the general State fund, for the expenses of administering this act during the remainder of the fiscal year ending June thirtieth, one thousand nine hundred thirty-seven, the unexpended balance of the appropriation made by section eight of chapter two hundred sixty-four of the laws of one thousand nine hundred and thirty-six. Thereafter provisions shall be made for the administration of this act in the annual or supplemental appropriation bills.

Provisions of act severable.

802. The provisions of this act shall be severable, and if any of the provisions shall be held to be unconstitutional the decision of the court respecting such provision or provisions shall not affect the validity of any other provisions which can be given effect without such invalid provision or provisions.

Chapter 264, P. L. 1936 repealed.

803. Chapter two hundred and sixty-four of the laws of one thousand nine hundred and thirty-six and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

804. This act shall take effect immediately.

Approved April 14, 1937.

CHAPTER 26

A SUPPLEMENT to an act entitled "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and thirty-seven, and regulating the disbursement thereof," approved June twenty-fourth, one thousand nine hundred and thirty-six.

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

Appropriation for revision of statutes.

1. The following sum or so much thereof as may be necessary be and the same is hereby appropriated out of the State fund as follows:

To the Commission on Revision and Consolidation of Public Statutes the sum of $21,118.29

for the purpose of payment of compensation for employees, stationery and office supplies and rent.

2. This act shall take effect immediately.

Approved April 15, 1937.

CHAPTER 27

AN ACT further authorizing and empowering the State Military Board to construct, furnish, equip and maintain armories in this State and making an appropriation therefor.

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

Armory in Cumberland county.

1. The State Military Board is hereby authorized and empowered to acquire on behalf of and in the name of the State a suitable site in the county of Cumberland, and thereafter to cause an armory to be constructed and erected, furnished, equipped and maintained thereon for military purposes, at a cost not exceeding two hundred thousand dollars ($200,000.00).

Cost.

Federal aid.

2. It is a condition of the grant of the authority and power contained in section one hereof that the Federal Government, or any agency thereof, shall grant and make available for the aforesaid purposes the sum of ninety thousand dollars ($90,000.00), and for this purpose the State Military Board in behalf of the State of New Jersey is hereby authorized to make application for and accept from the Federal Government a grant of moneys, which moneys, if granted, shall be applied to meet the obligations in part incurred by authority of this act.

State appropriation.

3. For the purpose of carrying out the provisions of this act and as a supplement to the aforesaid Federal grant, the sum of one hundred ten thousand dollars ($110,000.00), or so much thereof as may be necessary, be and the same is hereby appropriated from such moneys as may be available.

4. This act shall take effect immediately.

Approved April 19, 1937.

CHAPTER 28

AN ACT to amend an act entitled "A supplement to an act entitled 'An act concerning executors and the administration of intestates' estates' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," which supplement was approved March twenty-sixth, one thousand eight hundred and ninety-six.

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

Section 1 amended.

1. Section one of above mentioned act is hereby amended to read as follows:

Foreign executor acting in this State.

1. Any executor or administrator by virtue of letters obtained in another State may prosecute any action or sue out execution upon judgment or decree in any court of this State, or may be made a party defendant to any action at law or suit in equity in any court of this State, as if his letters had been granted in this State; *provided,* that there shall be filed in the office of the register of the Prerogative Court an exemplified copy of his letters testamentary or of administration, *provided, also,* that security for the costs may be required from such executor or administrator as if he were a nonresident of this State.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 24, 1937.

CHAPTER 29

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

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

Validating sales of real estate imperfectly advertised.

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.

Title valid.

Proviso.

2. This act shall take effect immediately.

Approved April 24, 1937.

CHAPTER 30

AN ACT to amend an act entitled "An act to regulate the practice of dentistry in the State of New Jersey and to repeal certain acts now relating to the same," approved March thirty-first, one thousand nine hundred and fifteen.

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

Section 14 amended.

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

Recovery of penalties.

14. Any penalty incurred by violation of any provision of this act, except by any violation specifically made a misdemeanor by this act, shall be sued for and recovered by and in the name of the State Board of Registration and Examination in Dentistry. Every district court in any city and judicial district in any county, and every court of common pleas in any county is hereby empowered upon the filing of a complaint in writing, duly verified, which said verification when made by any member of the said State Board of Registration and examination in Dentistry, or by any member of any incorporated dental society of this State, or of any county of this State, may be made upon information and belief that any person has violated any provision of this act, except the provisions above referred to as misdemeanors, to issue process at the suit of the State Board of Registration and Examination in Dentistry, as plaintiff; such process shall be either in the nature of a summons or warrant, which warrant may be issued without any order of the court or judge first being obtained against the person or persons so charged, which process when in the nature of a warrant, shall be returnable forthwith; and when in the nature of a summons shall be returnable in not less than five nor more

Court to issue process.

Either summons or warrant.

than fifteen entire days; such process shall state what section of the law 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 summarily to hear the testimony and to determine and give judgment in the matter without a jury and without the filing of any pleadings for the plaintiff for the recovery of such penalty with costs, or for the defendant, and the said court shall, if judgment be rendered for the plaintiff, cause any such defendant who may refuse or fail to forthwith pay the amount of the judgment rendered against him and all the costs and charges incident thereto, to be committed to the county jail for a period of not less than thirty days nor more than ninety days, except in cases where the penalty is five hundred dollars, in which cases commitment shall be made for a period of not less than sixty days nor more than one hundred and fifty days.

Allegation.

Hearing and judgment.

Action if defendant fails to pay.

Penalties.

2. This act shall take effect immediately.

Approved April 24, 1937.

CHAPTER 31

A FURTHER SUPPLEMENT to an act entitled "An act to increase the efficiency of public health protection in this State, to abolish the State Board of Health, and to create a State Department of Health, and to prescribe and define the powers and duties of such department," approved April fourteenth, one thousand nine hundred and fifteen.

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

1. It shall be the duty of every attending or consulting physician, nurse, parent or guardian having charge of any minor under six years of age

Deaf children reported to State Board of Health.

who is totally deaf or whose hearing is impaired to report the same at once in writing to the State Department of Health, giving the name, age and residence of such minor to the director of the Department of Health and furnish such additional information as the director may require. If the director, after investigation, finds that such minor is not receiving adequate care and treatment, he shall report the facts relative to such minor to the appropriate welfare or other official agency which may provide for such care and treatment. If the case of such minor is referred to any welfare officer, when he has approved the provision of such medical or surgical care and treatment as is needed, and which the parent is unable to provide, the cost thereof shall be a charge against the municipality in which the child resides. The State Director of Health shall in each instance notify the State Commissioner of Education of his disposition of the case, and the name of the official or agency to whom the same was referred. The Commissioner of Education, when in his judgment it is desirable, shall communicate to the parent, guardian, official or agency the location of the resident schools for the deaf and also the nearest public school having special classes and also instruction for the hard of hearing with information concerning the advantages offered by the school and the benefits to accrue to the child from attendance at such school, classes or instruction.

Inadequate care or treatment reported.

Chargeability of costs.

Regarding education.

2. This act shall take effect immediately.

Approved April 24, 1937.

CHAPTER 32

AN ACT to supplement an act entitled "An act for the establishment of an employees' retirement system for the employees of the State of New Jersey," approved March thirty-first, one thousand nine hundred and twenty-one.

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

Membership in retirement system.

1. Any person who has accepted employment in the classified service of this State and has been barred from membership in the retirement system on account of his age shall, upon the passage of this act, be eligible to membership, and shall be required to enroll as a member, and he shall have the option of joining on the first of the month following the passage of this act, or as of the first of the month following his appointment to State service, with the provision that he shall pay all accrued contributions with interest, either in one payment or in regular semi-monthly installments, under the rules and regulations of the retirement board.

Back contributions.

Enrolling in retirement system compulsory.

2. Notwithstanding any other law to the contrary, all persons hereafter accepting employment in the classified service of this State shall be required to enroll in the retirement system regardless of their attained age.

3. This act shall take effect immediately.

Approved April 24, 1937.

CHAPTER 33

AN ACT to amend an act entitled "An act for the establishment of an employees' retirement system for the employees of the State of New Jersey," approved March thirty-first, one thousand nine hundred and twenty-one.

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

Section 14 amended.

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

ALLOWANCE ON ACCIDENT DISABILITY RETIREMENT

Allowance on accident:

14. A member upon retirement for accident disability shall receive a service retirement allowance if he has attained age seventy; otherwise he shall receive a retirement allowance which shall consist of:

Annuity;

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

Pension.

(b) A pension, in addition to the annuity, of two-thirds (2/3) of his final compensation.

2. This act shall take effect immediately.

Approved April 24, 1937.

CHAPTER 34

AN ACT to repeal section three of an act entitled "An act relating to the funding or refunding of outstanding bonds or notes by municipalities," approved June eleventh, one thousand nine hundred and thirty-four, and constituting chapter two hundred and thirty-three of the pamphlet laws of one thousand nine hundred and thirty-four.

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

1. Section three of an act entitled "An act relating to the funding or refunding of outstanding bonds or notes by municipalities," approved June eleventh, one thousand nine hundred and thirty-four, is hereby repealed. Section 3, chapter 233, P. L. 1934, repealed.

2. This act shall take effect immediately.

Approved April 24, 1937.

CHAPTER 35

AN ACT to amend an act entitled "An act relating to the funding or refunding of outstanding bonds or notes by municipalities," approved June eleventh, one thousand nine hundred and thirty-four, and constituting chapter two hundred and thirty-three of the pamphlet laws of one thousand nine hundred and thirty-four.

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

Section 2 amended.

1. Section two of the act entitled "An act relating to the funding or refunding of outstanding bonds or notes by municipalities," approved June eleventh, one thousand nine hundred and thirty-four, is hereby amended to read as follows:

No bonds issued after January 1, 1937.

2. Since the purpose of this act is to provide for the extraordinary conditions due to the existing emergency, no bonds shall be issued pursuant to this act after the first day of January, one thousand nine hundred and thirty-seven, unless the ordinance authorizing the issuance of said bonds, required by section four of this act, shall have been finally passed prior to the first day of January, one thousand nine hundred and thirty-seven.

Proviso.

2. This act shall take effect immediately.

Approved April 24, 1937.

CHAPTER 36

AN ACT concerning and providing for the payment of fees and costs in the Court of Chancery.

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

Fees payable in chancery:

1. Upon the filing of the first paper in any action or proceeding in the Court of Chancery there shall be paid to the clerk of the court, for the use of the State, the following fees, which, except as hereinafter provided, shall constitute the entire fees to be collected by the clerk for the use of the State, including enrollment fees:

Receivership and partition; Receivership and partition, thirty-five dollars ($35.00);

Alimony; Application for permanent alimony; for withdrawal of surplus moneys; for withdrawal of mortgages and other sundry applications, fifteen dollars ($15.00);

Other causes. All other causes, twenty-five dollars ($25.00).

Refunds. Should any cause or proceeding in this section mentioned be commenced but not finally determined, the complainant, upon filing an order of discontinuance, shall be entitled to a refund as follows:

Receivership and partition, fifteen dollars ($15.00);

All other causes, ten dollars ($10.00).

Fee in answering: 2. Each defendant or respondent filing an answering pleading or other answering paper (other than a disclaimer) shall, at the time of filing same, pay to the clerk of the court the sum of five dollars ($5.00); which shall constitute the entire fee to be collected by the clerk, to the use of the State; *provided, however,* that in the event of the filing of a notice of encumbrance, the clerk shall charge and receive therefor a fee of two dollars ($2.00) for each such notice.

Proviso; encumbrance.

Enrolling fee.

3. Where the pleadings in any cause exceed three hundred folios the clerk of the court is authorized and directed to charge and receive an additional sum equal to seven cents ($0.07) per folio for such excess payable at the time of enrollment.

Additional fees when warranted.

4. In any cause or proceeding in which the papers filed with the clerk shall be exceptionally numerous or other work done by him shall be exceptionally onerous, he may make application to the court, on notice, for an order fixing and allowing a reasonable additional fee to be paid to him for the use of the State; and the court, in each such case, may make such order fixing and allowing such additional fee, if any, as shall be deemed just and reasonable under the circumstances and directing how and by whom the same shall be paid.

Certified copies.

5. The first copy of any order, decree, pleading or other paper shall be certified by the clerk and supplied to the solicitor, or litigant, free of charge, where such copy is furnished to the clerk for certification.

Other copies.

All copies other than the first copy, supplied as aforesaid, shall be furnished upon the payment of two dollars ($2.00) for the first twenty folios thereof, and ten cents ($0.10) for each folio in excess of twenty; *provided*, that a minimum charge of two dollars ($2.00) shall be made for any such copy.

Minimum charge.

Charges for other service by clerk:

6. The clerk is authorized, empowered and directed to charge the following fees for the services in this section enumerated:

Sealing;

For affixing the seal of the court to any document, one dollar ($1.00);

Exemplifying;

For an exemplification, two dollars ($2.00);

Warrant;

For a warrant of satisfaction, one dollar ($1.00);

Master's certificate;

For a Master's certificate certifying his appointment, one dollar ($1.00);

Minimum;

A minimum charge for all other papers or services by the clerk, one dollar ($1.00);

Master's fees;

Commissions on Master's fees and appeals accounts—one and one-half per centum (1½%) on one hundred dollars ($100.00) or less; one per

centum (1%) on any excess of one hundred dollars ($100.00);

Commissions on paying out trust fund accounts— two per centum (2%) on first one hundred dollars; one and one-half per centum (1½%) on the next nine hundred dollars ($900.00); one per centum (1%) on the excess over one thousand dollars ($1,000.00); Commissions.

7. Solicitors for the respective parties shall be liable and responsible for all fees charged by the clerk except as in this act otherwise enumerated. Solicitors responsible for fees.

8. Except as in this act otherwise provided, nothing herein contained shall be construed to modify or abridge the provisions of an act entitled "An act for the abbreviation and simplification of taxation of costs in the Court of Chancery," approved April fifteenth, one thousand nine hundred and thirty. Former act stands.

9. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and this act shall take effect July first, one thousand nine hundred and thirty-seven. Repealer. Act effective.

Approved April 26, 1937.

CHAPTER 37

AN ACT giving a lien upon motion picture films to processors thereof for any indebtedness to such processors by reason of the making, doing or furnishing of any film laboratory work, labor, services or materials, and by reason of moneys loaned or advanced by such processors in connection with film laboratory work, labor, services or materials, or in connection with the production or distribution of motion picture films; and providing for the enforcement of such lien.

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

Terms construed:

1. The terms used in this act shall be construed as follows, unless other meaning is clearly apparent from the language or context, or unless such construction is inconsistent with the manifest intention of the Legislature.

"Film laboratory work", etc.;

(a) The term "film laboratory work, labor, services or materials" as used herein shall mean the developing of any negative or negatives of a motion picture, printing from negative or negatives thereof, the making or furnishing of any positive print or prints thereof, the making, furnishing, printing, superimposing, or inserting, of titles in any negative or negatives thereof, or in any positive print or prints of a motion picture, the cutting, cleaning, polishing, keeping, storing, or assembling or otherwise processing, of any negative or negatives or positive print or prints of a motion picture, the furnishing of any containers for the handling or shipping of any such negatives or prints, and the doing, furnishing or performing of any and all other film laboratory work, labor, services and materials.

"Processor";

(b) The term "processor" includes all persons, partnerships and corporations engaged or that may be engaged in the business, or any part thereof, of making, doing or furnishing film laboratory work, labor, services or materials.

"Motion picture film";

(c) The term "motion picture film" includes all negative and positive prints, together with the distribution and exhibition rights, the story, dialogue and music rights included therein and the copyright thereto.

"Owner";

(d) The term "owner" with respect to any motion picture film includes all persons, partnerships and corporations having title to motion picture film, either at law or in equity, and all other persons, partnerships and corporations having or entitled to the possession of the motion picture film, whether he be a conditional vendee or mortgagor remaining in possession, or otherwise.

"Party authorized", etc.

(e) The term "party authorized with respect to any motion picture film" includes any lessee, licensee or grantee of any distribution or exhibition or exploitation rights of any motion picture film, or of any other right, title or interest in or to such motion picture film, or any agent of the owner, or any mortgagee or conditional vendee of such motion picture film, or any person, firm or corporation in possession of any motion picture film, or any person, partnership or corporation who or which may contract for any motion picture film, laboratory work, labor, services or materials in connection with such motion picture, or any agent of any of the foregoing persons, partnerships or corporations.

Processor's lien.

2. In every case where a processor shall make, do or furnish any film laboratory work, labor, services or materials in connection with any motion picture film or advance or loan money in connection therewith, or in connection with the production or distribution thereof, to or for the account of, or at the request of, or with the consent or knowledge of, the owner thereof, or of any party authorized

with respect to such motion picture film, such processor shall have a lien upon such motion picture film, and upon all other motion picture films of such owner and of all parties authorized with respect to such motion picture film, negative or negatives or positive print or prints which are in the possession of the processor, and such processor may, without process of law, detain the negatives and positives of all such motion picture films at any time in its possession until the payment to such processor of all indebtedness due or to grow due to such processor on account of such film laboratory work, labor, services or materials, so made, done or furnished by it and on account of all moneys paid out, loaned or advanced by such processor in connection therewith and/or in connection with the production or distribution of such motion picture film.

Impairment of lien.

3. No lien acquired by any processor shall be waived or impaired by the extension of any credit, or by the taking of any note or other instrument for the payment of the above-mentioned moneys due or to grow due to any such processor, or by the taking of any security for the payment thereof, or by the recovery of any judgment for such moneys.

Sale of lien after advertising.

4. The processor, having a lien upon a motion picture film or films, may cause the same to be sold at public auction, at any time after the date when any indebtedness on account of which such processor shall have such lien shall become due and payable, by publishing a notice of sale once in each week for each of the two weeks preceding the date of such sale, in a newspaper circulating in the municipality in which the negatives or positives of the motion picture film or films are situated. Notice of such sale shall also be set up in five public places in such municipality at least five days before the date of such sale. At least ten days before the date of such sale the processor shall give written notice, either in person or by registered mail, to the owner or party or parties authorized with respect to such

Notice of sale.

Notice to owner.

motion picture film or films to be sold, such notice to be addressed to the last address known to the processor, of such owner or authorized party or parties.

Use of proceeds of sale.

5. The proceeds of the sale shall be applied to the payment of the lien and the expenses of the sale, which expenses shall not exceed the legal newspaper advertising fees, plus ten dollars ($10.00). The balance, if any, shall be paid to the owner or party authorized with respect to the motion picture film, or films, or any part thereof so sold. The balance, if not claimed by the owner or party authorized with respect to such motion picture film or films, within sixty days after sale, shall be paid to the overseer of the poor of the said municipality for the support of the poor.

Balance.

Constitutionality of act.

6. In case for any reason any section, part of section, clause or provision of this act shall be questioned in any court or determined to be unconstitutional or invalid, the same shall not in anywise affect any other section, part of section, clause or provision of this act.

7. This act shall take effect immediately.

Approved April 26, 1937.

CHAPTER 38

AN ACT to amend an act entitled "A further supplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases' (Revision 1898), approved June fourteenth, one thousand eight hundred and ninety-eight," which said supplement was approved June twenty-second, one thousand nine hundred and thirty-six.

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

Section 1 amended.

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

Penal institution defined.

1. The term "penal institution" as used in this act shall be taken to mean and include the New Jersey State Prison, and other institutions of like character under the jurisdiction of other States.

2. This act shall take effect immediately.

Approved April 27, 1937.

CHAPTER 39

AN ACT to authorize municipal corporations engaged in the business of supplying water for public use to acquire by gift, devise, purchase or condemnation, lands and water rights for the diversion and use of water for any new or additional water supply or from any new or additional source or sources of water supply and to permit said municipalities to enter upon lands in advance of making compensation therefor.

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

1. Condemnation of Lands. Whenever any municipality of this State requires any lands, or rights therein, easements, materials, waters, water rights, or property, or any estate or interest therein, for the construction, establishment and maintenance of a municipal water supply system, and such lands, or rights therein, easements, materials, waters, water rights, or property, or any estate or interest therein, necessary for such purpose cannot be acquired by the municipality by agreement with the owner or owners thereof, whether by reason of disagreement as to price, or the legal incapacity or absence of the owner or owners, or his or their inability to convey a valid title, or for any other reason or cause, such municipality shall have the right and power to enter upon and take such lands or property, or estate or interest therein in advance of making compensation therefor; and in any such case, such municipality, promptly after such entry, shall institute proceedings according to law to fix the compensation to be paid the owner or owners of such property; *provided,* that nothing in this act contained shall apply to any land or other property acquired for or devoted to any

Acquiring land or water rights.

Uses.

Right of entry.

Proviso.

public use by any board, commission or agency of the State of New Jersey, municipality or county of this State, or by any public utility as the same is defined by "An act concerning public utilities; to create a Board of Public Utility Commissioners and to prescribe its duties and powers," approved April twenty-first, one thousand nine hundred and eleven, or any act amendatory thereof or supplemental thereto.

Fixing compensation, interest included.

2. Compensation for Property Taken. In fixing the compensation for any property taken in pursuance of this act the value of such property shall be fixed as of the date of the entry thereon by the municipality and the owner shall be entitled to interest upon the value of such property from the date of such entry to the date of payment of such compensation to the owner or into the Court of Chancery.

Expiration of act.

3. This act shall be inoperative and of no effect after July first, one thousand nine hundred and thirty-eight.

4. This act shall take effect immediately.

Approved April 27, 1937.

CHAPTER 40

AN ACT relating to the collection of delinquent municipal liens.

Preamble.

WHEREAS, The large volume of unpaid municipal liens is creating such a serious tendency toward nonpayment of current taxes and municipal liens that a public emergency demands some plan to be made available to municipalities for the prompt collection of current taxes and assessments without requiring the immediate payment of arrears; but such a plan to be helpful must recognize the need of the property owner to maintain as a first

lien the mortgage encumbrance upon his property; now, therefore, in order to encourage the owner to use every effort to keep his property by granting him an opportunity to pay his present arrears in fixed installments over a term of years,

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

Adoption of resolution as to best interest of municipality.

1. Whenever the governing body of any municipality of this State shall, by resolution adopted during the calendar year one thousand nine hundred and thirty-seven, declare that it is for the best interest of its citizens that the provisions of this act be made available to its property owners, then all taxes, assessments, tax sale certificates held by the municipality or other municipal liens in arrears on January first, one thousand nine hundred and thirty-seven, and not yet paid and satisfied, together with the interest and penalties thereon, shall, when brought under the provisions of this act by compliance with section seven of this act, and subject to the conditions hereinafter set out to be totaled as of said date; and the payment of such totaled sum shall be spread over a period of five years, and the same shall be payable in monthly or quarterly installments as stated in said resolution commencing August first, one thousand nine hundred and thirty-seven, with interest on the several unpaid balances at the rate of seven per centum (7%) per annum, payable on the same quarterly dates.

All obligation totaled.

Periods for payments.

Certified resolution filed with county clerk.

2. A copy of such resolution, certified by the clerk of such municipality, shall be filed in the office of the clerk of the county in which such municipality is located before the provisions of this act shall be applicable therein.

Ascertaining indebtedness.

3. In computing such total of arrears there shall be included, of assessments for local improvement benefits which were payable in installments, only such installments as were in arrears at the date of which the totals were computed, but interest on the entire unpaid balances shall be included.

New Jersey State Library

Totals apportioned among interests affected.

4. In computing such total of arrears, any tax, assessment, tax sale certificate held by the municipality or other municipal lien may be apportioned at the request of any party interested, to such parcels of property affected thereby as may be required by diverse ownership, mortgage lien or otherwise; such apportionment to be upon such equitable basis as may be determined by the collecting official of the municipality on at least five days' notice to all persons other than the applicant interested therein.

Equitable basis.

Condition of prompt payment.

5. The right of any person interested in such property to pay such arrears in such installments shall be conditioned on the prompt payment of the installments of taxes of one thousand nine hundred and thirty-seven and all subsequent taxes, assessments or other liens imposed or becoming a lien after January first, one thousand nine hundred and thirty-seven, including all installments thereafter payable on assessments theretofore levied, and also the prompt payment of all installments of arrears as hereinbefore authorized. Prompt payment shall consist in making payment thereof within thirty days after the respective due dates.

Lien of arrears suspended.

6. During the period of the extension of time for payment herein provided for, the lien of such arrears shall be suspended, and the amounts thereof shall not be considered as due except as the same become payable in installments under the terms of this act and the municipality shall have no further right to enforce the payment of such arrears so long as such installment payments shall be made promptly when due as herein provided for, and so long as payment for all subsequent taxes, assessments and other liens shall likewise be made promptly when due.

Condition of extension for payment.

7. The extension of time for payment and the suspension of the lien of existing arrears herein authorized shall not be effective as to any parcel of property until the first half of the nineteen hundred and thirty-seven taxes thereon has been paid, together with any assessments for local improve-

ments, or installments thereof, falling due after January first, one thousand nine hundred and thirty-seven, and before the date of actual payment of said first half of nineteen hundred and thirty-seven taxes.

If installments not promptly paid, whole amount becomes due.

8. In case any such installment of arrears or any new taxes, assessments or other liens are not promptly paid, that is to say, within thirty days after the date when the same is due and payable, then the whole amount of arrears theretofore suspended with interest thereon and penalties shall immediately become due and payable, and the liens thereof be reinstated, and the municipality shall have all the powers of enforcing its liens for such arrears that it would have had if this act had not been passed, and the time of such municipality for any action on its part shall at its option be extended for as much additional time as the period during which this act shall have been in force, as to such arrears.

Enforcement of liens.

Notation on extended payment.

9. Any arrears payment of which has been extended under this act shall be noted on any official tax search thereafter issued, but shall be noted thereon as "payment extended under laws of one thousand nine hundred and thirty-seven; total present balance of extended arrears is $..... each month or quarterly installment amounts to $..... with interest on the unpaid balance."

Existence of extended arrears a violation.

10. The existence of any extended arrears affecting any property conveyed after this act becomes effective, shall be construed as a violation of any warranty or covenant against encumbrances in such conveyance unless made expressly subject to extended arrears of taxes, assessments or other municipal liens.

Crediting installments.

11. Any installment of arrears paid under the provisions of this act shall be credited to the arrears oldest in point of time, and the moneys paid shall be so applied; but no entry of payment or satisfaction or cancellation of record of the same, except by way of part payment, shall be made on or in respect to any item of arrears until the same

When cancellation of record.

is fully paid with the interest thereon, after which the same shall be satisfied or cancelled or marked paid of record as if this act had not been passed.

Arrears not basis of security.

12. The municipality shall have no right to make any such arrears the basis of security for any type of municipal obligation, except for renewals of existing obligation, and for funding bonds.

Payments by holders of certificates of tax sales.

13. The holders of any outstanding certificate of tax sale shall not as a condition of foreclosure thereof be bound to pay any extended arrears except the respective installments provided for under this act, and no foreclosure of such certificate of sale shall include in the amount required to redeem, any sums paid on such extended arrears in excess of the amount so required to be paid; but this shall not relieve the holder thereof from any contract obligation to pay in full any arrears so extended.

Water or sewer rents excepted.

14. Nothing in this act shall apply to water or sewer rents.

Lien holder may pay installment.

15. Any holder of a lien by way of mortgage or otherwise may pay any installment of any tax, or tax sale certificate, assessment, including any installment of arrears extended under this act, at any time after the same has been assessed or levied upon filing with the collecting officer a certificate stating his name and address and lien, and shall then be entitled to add to the amount of his lien, the sum so paid with interest thereon from the date of payment; but in such case if the owner or any other prior party in interest shall thereafter pay the same to the collecting officer, the latter shall give a special receipt for such payment, and shall immediately notify the lien-holder who made the first payment thereof, and said lien-holder shall be entitled to receive the amount of such payment from the collecting officer, and all further rights of such lien-holder under such payment shall immediately cease.

Payment added to lien.

If subsequently paid by owner.

Receipt.

Refund.

Records of payments kept.

16. The collecting officer of any municipality acting under the provisions hereof shall make up and keep a list of the properties which are brought

under the provisions of this act by payment of the first installment of the taxes of the year one thousand nine hundred and thirty-seven and shall keep the records of payments hereunder, all in such form as shall be prescribed by the State Auditor.

Property under other plan not included.

17. The extension of time for payment and the suspension of the lien of existing arrearages herein authorized shall not apply to any parcel of property which has heretofore been included in any plan heretofore adopted by any municipality of this State under and pursuant to the provisions of any public statute of this State whereunder prior extensions for the payment of delinquent taxes were heretofore duly authorized.

18. This act shall take effect immediately.

Approved April 27, 1937.

CHAPTER 41

AN ACT to amend an act entitled "A supplement to an act entitled 'An act concerning building and loan associations' (Revision of 1925), approved March twelfth, one thousand nine hundred and twenty-five," and which supplement was approved March tenth, one thousand nine hundred and thirty-three.

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

Section 5 amended.

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

When act ceases to function.

5. This act shall take effect immediately, but shall become inoperative after September 5, 1938, but all orders or regulations made and all acts and things done under the provisions of this act shall be and remain valid and operative.

Approved April 27, 1937.

CHAPTER 42

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

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

Insurance of member's accounts.

1. Any building and loan association incorporated under the laws of this State and subject to the provisions of the act to which this act is a supplement shall have power, by a majority vote of its board of directors, to effect the insurance of the shares, or accounts, or investments of its members and shareholders by the Federal Savings and Loan Insurance Corporation, in the manner and form as provided by Title IV of the Act of Congress entitled "National Housing Act," approved June twenty-seven, one thousand nine hundred and thirty-four, as now enacted or as hereafter supplemented or amended, or by any other corporation hereafter created or organized under the laws of the United States and which corporation is an instrumentality of the United States.

Act governing.

Copy of application filed; also, notice of acceptance or rejection.

2. Each such association shall file with the Commissioner of Banking and Insurance within one week after its adoption a certified copy of the resolution applying for said insurance adopted by its board of directors or shareholders, and shall, further, within one week of the receipt by it of notice of the acceptance or rejection by the said corporation of such application, file a statement of such acceptance or rejection in the office of the Commissioner of Banking and Insurance.

Terminating insurance.

3. No such association shall terminate said insurance except after thirty days' prior written notice thereof to the Commissioner of Banking and Insurance, unless the Commissioner of Banking and Insurance shall have waived said notice in writing.

4. No disbursements made by any association in connection with or incidental to said insurance either for examination, premium or otherwise, shall be deemed or construed as an expense of the association within the meaning of section fifty-three of the act to which this act is a supplement. Disbursements not deemed expenses.

5. All actions heretofore taken by any building and loan association through its officers or its board of directors in entering into or preparatory to entering into an agreement as hereinbefore described be and the same hereby are validated, ratified and confirmed. Previous actions validated.

6. Nothing herein contained shall be construed as repealing, modifying, or impairing any powers, duties, rights or responsibilities of the Commissioner of Banking and Insurance in respect to any association organized under or subject to the provisions of the act to which this act is a supplement. Rights, etc., of commissioner not impaired.

7. This act shall take effect immediately.

Approved April 27, 1937.

CHAPTER 43

AN ACT making an appropriation to the State Financial Assistance Commission for public assistance for the year beginning January first, one thousand nine hundred and thirty-seven, and ending December thirty-first, one thousand nine hundred and thirty-seven.

WHEREAS, The Governor of this State, in his message submitted to the Legislature on January twelfth, nineteen hundred and thirty-seven, stated that the sum of nine million six hundred thousand dollars ($9,600,000.00) could be made available for unemployment relief and public assistance by diversion from funds of the State Highway Department, but that such diversion Preamble.

would result in the abatement of one million six hundred seventy-five thousand seven hundred and fifty-one dollars ($1,675,751.00) of regular Federal aid; and

Preamble.

WHEREAS, If the said sum of one million six hundred seventy-five thousand seven hundred fifty-one dollars ($1,675,751.00) of Federal aid is made available, there will remain for public assistance and unemployment relief the sum of seven million nine hundred seventeen six hundred sixty dollars ($7,917,660.00), which said sum can be shown to be available by an analysis of the State Highway Fund budget submitted by the Governor for the calendar year one thousand nine hundred and thirty-seven, as follows:

Revenue available.

Revenue Available $42,168,336 00

Sundry deductions

Deductions

1. Sale of bonds.	$2,000,000 00	
2. Federal aid (50% basis) .	1,675,751 00	
3. Account R-1, Debt Service Serial Bonds (Mandatory) .	7,480,562 50	
4. Account R-2, Debt Service Sinking Fund Bonds (Mandatory)	5,630,026 40	
5. Account R-3, State aid to County and municipalities (Mandatory) .	9,045,000 00	

6. Account R-4, Board of Commerce and Navigation	90,000 00
7. Account R-5, Delaware River Joint Toll Bridge Commission	110,000 00
8. Account R-7, Motor Vehicle Department ..	872,610 00
9. Account R-8, State Highway Department, Total Administration	1,600,000 00
10. Account R-8, State Highway Department, Total purchase of plant and equipment	200,000 00
11. Account R-8, State Highway Department, maintenance of State Highway system	2,800,000 00
12. Account R-8, State Highway Department, Total lighting highway system and operation of bridges	905,000 00

13. Account R-9, Motor Fuel Tax Division .	165,975 00	
14. New Jersey moneys to match Federal aid (50% basis)	1,675,751 00	
Total Deductions		$34,250,676 00
Net Amount Available for Diversion		$7,917,660 00

Net amount available for diversion.

and

Preamble. WHEREAS, The municipalities of the State of New Jersey for the year nineteen thirty-six contributed three million three hundred sixteen thousand seven hundred twenty-five dollars ($3,316,725.00) for unemployment relief; and

Preamble. WHEREAS, It is believed that said municipalities are financially able to contribute at least the sum of three million dollars ($3,000,000.00) for the year nineteen thirty-seven; and

Preamble. WHEREAS, The State Financial Assistance Commission has an unexpended balance of approximately one million seven hundred fifty thousand dollars ($1,750,000.00) which has not been used by said commission for the payment of necessary expenses of administration and for the payment of outstanding obligations of the Emergency Relief Administration and expenses incurred in the liquidation and settlement of the affairs of the said Emergency Relief Administration which said sum or sums will be set aside by legislation for use by the said Financial Assistance Commission for public assistance rendered to needy persons in said municipalities during the calendar year nineteen thirty-seven; and

WHEREAS, The State Financial Assistance Commission has reported relief expenditures totalling four million three hundred thirty thousand one hundred ninety-eight dollars and eighty-five cents ($4,330,198.85) as of January twenty-sixth, nineteen thirty-seven, with approximately two million dollars ($2,000,000.00) to be further expended, making in all an approximate total of six million three hundred thirty thousand one hundred ninety-eight dollars and eighty-five cents ($6,330,198.85) for the six-month period preceding January twenty-sixth, nineteen thirty-seven; and Preamble.

WHEREAS, Upon the basis and experience of the aforesaid six-month period the yearly period would cost approximately twelve million six hundred sixty thousand three hundred ninety-seven dollars and seventy cents ($12,660,397.70); and Preamble.

WHEREAS, Seven million nine hundred seventeen thousand six hundred sixty dollars ($7,917,660.00) of this amount is available by the aforesaid diversion, plus the estimated contributions of the municipalities of the State in the sum of three million dollars ($3,000,000.00) and the unexpended balance of Emergency Relief Administration funds in the amount of one million seven hundred fifty thousand dollars ($1,750,000.00), all of which equal the sum of twelve million six hundred sixty-seven thousand six hundred sixty dollars ($12,667,660.00); and Preamble.

WHEREAS, A consideration and analysis of these figures indicate a complete solution of the relief problem for the calendar year nineteen thirty-seven; now, therefore, Preamble.

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

1. There is hereby appropriated and the State Comptroller is authorized, directed and empowered Amount paid for financial assistance.

to draw his warrants on the State Treasurer, and the State Treasurer is hereby authorized and directed to pay upon such warrants to the State Financial Assistance Commission created by the provisions of an act entitled "An act to provide for the protection, welfare of and financial assistance to certain needy persons in the State of New Jersey, providing for the administration thereof and prescribing penalties for the violation thereof," approved May fourth, one thousand nine hundred and thirty-six, and the acts amendatory thereof and supplemental thereto, for public assistance and unemployment relief for the year beginning January first, one thousand nine hundred and thirty-seven, and ending December thirty-first, one thousand nine hundred and thirty-seven, from the first moneys allotted to the State Highway Commission for the year one thousand nine hundred and thirty-seven by virtue of the provisions of an act entitled "An act imposing a tax on motor fuels," approved July first, one thousand nine hundred and thirty-five, and the acts amendatory thereof and supplemental thereto, and, further, pursuant to the provisions of an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April eighth, one thousand nine hundred and twenty-one, and the acts amendatory thereof and supplemental thereto, the sum of seven million nine hundred seventeen thousand six hundred and sixty dollars ($7,917,660.00) or so much thereof as may be necessary for public assistance and unemployment relief.

Source of funds.

2. This act shall take effect immediately.

Passed May 4, 1937.

CHAPTER 44

AN ACT to validate bonds of townships of this State.

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

1. All bonds heretofore issued by any township in this State for lawful purposes are hereby ratified, validated and confirmed notwithstanding that said bonds were not sold at public sale or within the period subsequent to said public sale permitted by law; *provided,* that said township received in payment of said bonds not less than par and accrued interest. Bond issue validated. Proviso.

2. This act shall take effect immediately.

Approved May 4, 1937.

CHAPTER 45

AN ACT authorizing applications to the Court of Chancery by fiduciaries or beneficiaries of trust funds concerning the investment of trust funds in certain cases.

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

1. In all cases where by reason of a change in conditions which has or shall have occurred or which may be reasonably foreseen the objects and purposes of any trust heretofore or hereafter created by deed, will or other instrument might be defeated in whole or in part by the investment or continuance of the investment of all the funds of such trust in the kinds or classes of securities to which the trustee is or shall be limited by the statutes of this State or by the instrument or instruments creating such trust, any trustee or bene- Investment of trust fund when conditions change.

ficiary of such trust may file a bill in the Court of Chancery praying for a decree permitting or directing the trustee or trustees of such trust to invest all or a part of the funds thereof in other kinds or classes of investments.

Classes of securities authorized by chancery.

2. If the court shall find that by reason of a change in conditions which has or shall have occurred since the creation of such trust or by reason of a change in conditions which may be reasonably foreseen the objects and purposes of the trust might be defeated in whole or in part by the investment or continuance of the investment of all the funds of such trust in the kinds or classes of investments to which the trustee is then limited by the statutes of this State or by the instrument or instruments creating such trust and that the objects and purposes of the trust and the interests of all the beneficiaries thereof, whether vested or contingent, would be promoted by the investment of all or some part of the trust funds in classes or kinds of investments other than those specified by the statutes of this State or by the instrument or instruments creating such trust, the court shall by its decree, notwithstanding that the trust so created may be in default prior to the effective date of this act in respect to the terms of the instrument or instruments creating such trust, authorize or direct the trustee of such trust to invest the whole or such part thereof as it shall designate in any class or classes of investments, including common or preferred stocks of corporations of this State or of any other State or country, which in its judgment will promote the objects and purposes of the trust and the interests of all the beneficiaries thereof; *provided,* that the court shall not authorize or direct the purchase of any class of common or preferred stock of any corporation unless such corporation shall have been organized and engaged in the conduct of its business for five calendar years immediately preceding the purchase of the stock of such corporation.

Decree by court.

Proviso.

3. This act shall take effect immediately.

Approved May 4, 1937.

CHAPTER 46

AN ACT to amend an act entitled "An act authorizing and empowering the Quartermaster-General on behalf of the State to accept Federal and any other grants and to combine same for the construction, alteration of and addition to National Guard and Naval Militia armories," approved June twenty-seventh, one thousand nine hundred and thirty-five.

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

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

1. The Quartermaster-General is hereby authorized upon the receipt of any grant of moneys from the Federal government and/or other grants from any source for the purpose of armory construction, alteration or additions, to transfer or otherwise combine all State appropriations, or balances thereof, made under any laws of the State together with such grants for construction, alterations and additions to armories, and for services in connection therewith, in order that the total appropriations and grants made for this purpose shall be treated as one sum and used for the combined armory project; notwithstanding certain definite restrictions which may be imposed on the use of these moneys by the aforesaid acts; *and provided further*, that the amounts appropriated in the aforesaid acts are not increased. Sundry appropriations combined. Use. Proviso.

2. This act shall take effect immediately.

Approved May 4, 1937.

CHAPTER 47

A SUPPLEMENT to an act entitled "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and thirty-seven, and regulating the disbursement thereof," approved June twenty-fourth, one thousand nine hundred and thirty-six.

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

Appropriations to members of national guard injured in service.

1. The following sums or so much thereof as may be necessary, be and they are hereby appropriated out of the State fund for the following purposes:

NATIONAL GUARD

Claims for compensation, hospitalization and medical attendance due to injuries in National Guard service under the provisions of article XIII, chapter forty-six, of the laws of one thousand nine hundred and twenty-five:

Private Joseph Verycken, Company A, 104th Engineers	$2,077 00
Private Frank C. Valente, Troop A, 102d Cavalry	742 63
Corporal Eugene Monses, Company B, 114th Infantry	46 17
First Lieutenant Albert E. Coryell, Company A, 113th Infantry	188 57
Orange Memorial Hospital—hospital services rendered Sergeant Adrian S. Roberts, Battery A, 112th Field Artillery	205 75

Fitkin Memorial Hospital—hospital services rendered Private John Emmons, Quartermaster Corps	88 00
Oliver K. Parry, M. D.—services rendered Private John Emmons, Quartermaster Corps	100 00
Louis F. Albright, M. D.—services rendered Private John Emmons, Quartermaster Corps	14 00
Robert P. Smith, M. D.—services rendered Master Sergeant Gilbert W. Mervine, Headquarters Battery, 112th Field Artillery	10 00
	$3,472 12

2. This act shall take effect immediately.
Approved May 4, 1937.

CHAPTER 48

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

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

1. In addition to the powers conferred by the provisions of the act to which this act is a supple- Improving Barnegat Inlet authorized.

ment, the Board of Commerce and Navigation is hereby authorized and empowered to provide for the improvement of Barnegat Inlet for navigation and to do all things necessary in connection therewith for effectuating the purposes of this act.

Appropriation.

2. There is hereby appropriated and directed to be paid by the State Treasurer the sum of two hundred and seventy-five thousand dollars ($275,000.00) for carrying into effect the provisions of this act.

Amount furnished by county of Ocean.

3. The specific appropriation herein made shall not be expended until the county of Ocean shall have made available therefor the sum of twenty-five thousand dollars ($25,000.00), which shall be used in conjunction with the appropriation in this act authorized.

Use.

4. All moneys so appropriated by the State and the county of Ocean shall be used by the Board of Commerce and Navigation and expended under the direction of the Federal Government whenever the Federal Government or any agency thereof shall commence the work of opening the said Barnegat Inlet. Upon requisition by the Federal Government or such agency as shall be designated to take charge of the work, the said sum herein authorized shall be expended by the Board of Commerce and Navigation for the aforesaid purpose.

Expenditures.

5. This act shall take effect immediately.

Approved May 5, 1937.

CHAPTER 49

AN ACT concerning the militia of the State (Revision of 1937).

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

ARTICLE I

COMPOSITION OF THE MILITIA

How militia composed.

1. Persons subject to militia duties—definition of militia. The militia shall consist of all able-bodied male citizens of this State, and all other able-bodied male persons, who have or shall have declared their intentions to become citizens of the United States, who, in the case of the Naval Militia shall be more than seventeen years of age and in the case of the National Guard, the New Jersey Guard and the Unorganized Militia shall be more than eighteen years of age, and who, except as hereinafter provided, shall be not more than forty-five years of age, and such other persons as may upon their own application be enlisted or commissioned therein, and said militia shall be divided into four classes, the National Guard, the Naval Militia, the New Jersey Guard, when organized, and the Unorganized Militia. The word "militia" as used in this act shall mean all of the military and naval forces of this State, whether organized or unorganized, or active or inactive.

Age.

Classification.

Militia defined.

Exemptions from military duty:

2. Exemptions from militia duty. The following persons shall be exempt from militia duty without regard to age:

Vice-president;

a. The Vice-President of the United States;

Public officials;

b. The officers, judicial and executive of the government of the United States, and of this State, and of any political subdivision thereof, and of any municipality therein;

In service; c. Persons in the military or naval service of the United States:

Custom's clerks; d. Custom house clerks;

Mail employees; e. Persons employed by the United States in the transmission of the mail;

Workers in military supplies; f. Artificers and workmen employed in the armories, arsenals and navy yards of the United States or of this State;

Certain mariners; g. Pilots or mariners actually employed in the sea service of any citizen or merchant within the United States; and

Specifically exempt. h. Such other persons as may now or hereafter be specially exempted by the laws of the United States or of this State or by the order of the Governor of this State.

Exemption for religious belief. All persons who shall claim exemption from militia service, because of religious belief, shall be exempted from militia service in a combatant capacity, if the conscientious holding of such belief shall be established, under such regulations as the President of the United States or the Governor of this State shall prescribe. No person so exempted shall be exempted from militia service in any capacity that the President of the United States or the Governor of this State shall declare to be non-combatant.

Governor the commander-in-chief. 3. The commander-in-chief. The Governor or other person administering the government shall be the commander-in-chief of the militia of this State, except when the same or any part thereof shall be called, ordered or drafted into the service of the United States.

Governor's staff: 4. Staff of the Governor. The staff of the Governor shall consist of:

Administrative; a. Administrative: The Adjutant-General and the Quartermaster-General.

Personal. Staff aides. b. 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.

Rank.

Regular duty.

ARTICLE II

POWERS OF THE GOVERNOR

Governor's control in general.

1. Organization of Units. The Governor may organize, alter, increase, divide, annex, consolidate, disband or reorganize any organization, department, corps or staff whenever in his judgment the efficiency of the State militia will be thereby increased, or to make the same conform to any table of organization or system of training now or hereafter prescribed by the laws of the United States or the rules or regulations promulgated thereunder for the organization and training of the National Guard or of the Naval Militia. For that purpose the number of officers, warrant officers, noncommissioned officers and enlisted men in any organization, department, corps or staff may be increased or diminished, and the grades of such officers, warrant officers or noncommissioned officers altered to the extent necessary to conform thereto.

Organization.

Declaring martial law.

2. Proclamation of martial law. Whenever the militia, or any part thereof, is employed in aid of civil authority, the Governor, if in his judgment the maintenance of law and order will thereby be promoted, may, by proclamation, declare any county or municipality or part thereof in which the troops are serving to be subject to martial law.

Ordered to duty in emergencies.

3. Riot or breach of the peace. The Governor may in case of insurrection, invasion, tumult, riot or breach of the peace, or imminent danger to public safety, order into active service all or any part of the militia that he may deem necessary. He may

maintain such forces in such service until the exigencies shall have passed.

In federal service.

4. Call, order or draft by United States. Whenever the militia, or any part thereof, is called, ordered or drafted under the constitution and laws of the United States, the Governor shall order for service the National Guard, the inactive National Guard, the Naval Militia and inactive Naval Militia, or such part thereof as may be required.

Resumption of service.

Upon the termination of the emergency all persons so called, ordered or drafted who shall have been discharged from the army or navy, shall resume their membership in the militia, and shall continue to serve in the National Guard or Naval Militia until the dates upon which their enlistments entered into prior to the call, order or draft would have expired if uninterrupted, under such regulations as may be prescribed therefor.

Regulations.

5. Regulations. The Governor shall make and publish such regulations governing the organization, discipline and training of the militia of the State as will increase the efficiency thereof, and such regulations shall have the authority of law.

U. S. authority to be followed.

Any regulations issued by the Governor affecting the National Guard or the Naval Militia shall conform to the statutes and regulations of the United States concerning the same.

ARTICLE III

ADJUTANT-GENERAL'S DEPARTMENT

Adjutant-general's office.

1. Adjutant-General's Department. The Adjutant-General's Department shall consist of the Adjutant-General, with the rank of Brigadier-General; one deputy Adjutant-General, with rank not above that of colonel, who shall perform such duties as may be assigned by the Adjutant-General; such officers of the National Guard or Naval Militia as may be authorized by the Governor for duty therein; and such clerks and employees as may be required, who may hereafter be detailed from the active National Guard or Naval Militia.

If absent or office vacant.

During the absence of the Adjutant-General from the State and during any period when he shall be unable to perform his duties, the deputy Adjutant-General shall exercise the powers and perform the duties of the Adjutant-General. If the office of Adjutant-General shall become vacant by reason of the death, resignation or removal of the incumbent, or for any other cause, the deputy Adjutant-General shall exercise the powers and perform the duties of the Adjutant-General until a successor Adjutant-General shall have been appointed and shall have qualified.

Deputy acting.

Duties of adjutant-general:

2. Duties of Adjutant-General. The Adjutant-General shall be the chief-of-staff of the militia of the State and shall:

Chief of staff;

Recruiting, training, etc.;

a. Under the direction of the Governor, 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;

Duties required;

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, and such duties as pertain to the functions of the chief-of-staff;

Supervision;

c. Supervise the preparation and submission of all returns and reports required by the War Department;

Records, of men, etc.;

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;

Transmit orders;

e. Record, authenticate and communicate to troops and individuals in the militia all orders, instructions and regulations;

Printed matter, etc.;

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 act and the proper administration of the militia;

Commissions; g. Prepare and issue commissions to all officers properly certified and qualified therefor;

Seal; h. Have an appropriate seal and affix an impression of the same to all certificates of record issued from his office;

Assistance; i. Render such professional aid and assistance and perform such other military duties, not otherwise assigned, as may be ordered by the Governor; and

State service officer—duties; j. Be the State service officer and as such shall be charged with the duty of assisting the veterans of all wars, citizens of this State, and their dependents in securing the benefits of pensions to which they are severally entitled under the provisions of any Federal legislation. He shall assist veterans of the World War, citizens of this State, and their dependents in the presentation of claims for compensation as the result of physical disabilities or adjusted compensation or war risk insurance and give aid and assistance in the matter of adjusted service certificates pursuant to an act of Congress of February twenty-seventh, one thousand nine hundred and thirty-one. He shall also advise such veterans and their dependents in securing for them the benefits of hospitalization and such other benefits as they may be entitled to by any Federal legislation. For his services as State service officer, the Adjutant-General shall be paid, in addition to his regular compensation as the Adjutant-General, the sum of two thousand five hundred dollars ($2,500.00) annually.

Assist veterans.

Secure benefits.

Additional compensation.

Archives. 3. Archives of the Adjutant-General's Department. The archives of the Adjutant-General's Department shall include all available records of officers and men, movements and operations of the military and naval forces of New Jersey in all the wars in which its troops have participated from the earliest colonial period.

Copies of records in evidence. 4. Copies of records as evidence. Copies of any books, records, papers and documents in the office of the Adjutant-General, certified by him or by the deputy adjutant-general under the seal of the office

of the Adjutant-General, shall be admitted as evidence in any court of the State, either civil, military or naval, with the same force and effect as if the original had been produced.

Searching fees;

5. Fees for searching military records. The Adjutant-General may demand and receive, for the services herein enumerated, the following fees:

Military record;

a. For every search made in his office for the military record of any soldier, sailor or marine, the sum of fifty cents ($0.50); and

Certified;

b. For the furnishing of every certified copy of such record, the sum of one dollar ($1.00).

Certain information free.

No fees shall be charged for searches made or certificates furnished in proof for pension, admittance to soldiers' homes, exemption from jury duty, or in lieu of lost discharges.

Record of fees and disposition.

6. Account and disposition of fees. The Adjutant-General shall keep a true record and account of all fees received under the provisions of section five of this article, and shall pay the same monthly into the State treasury.

ARTICLE IV

QUARTERMASTER-GENERAL'S DEPARTMENT

Quartermaster-general's office.

1. Quartermaster-General's department. The Quartermaster-General's department shall consist of the Quartermaster-General, with the rank of Brigadier-General; one deputy quartermaster-general, with rank not above that of colonel, who shall perform such duties as may be assigned by the Quartermaster-General; such officers of the National Guard or Naval Militia as may be authorized by the Governor for duty therein; and such clerks and employees as may be required, who may hereafter be detailed from the active National Guard or Naval Militia. During the absence of the Quartermaster-General from the State or during any period when he shall be unable to perform his duties, the deputy quartermaster-general shall exercise the powers and perform the duties of the Quartermaster-General. If the office of Quarter-

If absent.

If vacant.

master-General shall become vacant by reason of the death, resignation or removal of the incumbent,

Deputy acting.

or for any other cause, the deputy quartermaster-general shall exercise the powers and perform the duties of the Quartermaster-General until a successor Quartermaster-General shall have been appointed and shall have qualified.

Duties:

2. Duties of the Quartermaster-General. The Quartermaster-General shall be charged with and have direction of:

Procuring supplies;

a. The purchase and procurement of all supplies and stores for the maintenance of the militia of the State;

Camps and ranges;

b. All work pertaining to the maintenance of the camp grounds and rifle range;

Armories;

c. The construction, alteration, maintenance and repair of armories, buildings, structures and utilities used or intended to be used by the militia;

Repairs;

d. The repair of all uniforms, arms and equipment;

Real estate;

f. The acquisition and leasing of all real estate;

Transportation;

g. The transportation of the militia, supplies and equipment;

Means of travel;

h. The furnishing of means of transportation of all classes and kinds required; and

Other duties.

i. Such other duties as may be ordered by the Governor.

Disbursements.

3. Appropriations and disbursements. The Quartermaster-General shall disburse all moneys appropriated or acquired for the support, maintenance and pay of the militia. No transfer of funds appropriated for the use of the militia shall be made without the approval of the State House

Allowances.

Commission. The annual allowance for the support, maintenance and pay of the militia shall be paid to the Quartermaster-General by the Comptroller of the Treasury on the first day of July of each year.

Sale of certain property.

4. Sale of military and naval property. Unserviceable, unsuitable or surplus military and naval property may, after a proper survey, be sold under such terms and regulations as may be prescribed

by the Quartermaster-General. Moneys derived from such sales shall be used for the repair, replacement, improvement and maintenance of military and naval property. Surplus property may be sold to officers and enlisted men at cost price.

Enforcement of regulations.

5. Armories, arsenals and camp grounds. The Quartermaster-General shall enforce all rules and regulations prescribed by the State military board relating to the management, maintenance, leasing, rental and use of armories and camp grounds. All funds received from such rentals shall be paid to the Quartermaster-General, who shall deposit the same in a special fund to be expended to supplement general appropriations made for maintenance and upkeep of armories and other military and naval property of the State. Any balances remaining at the end of the accounting period shall be allotted and expended for the maintenance and support of the militia. The Quartermaster-General shall appoint all custodians, armorers and other persons employed in the care of armories, arsenals and camp grounds, and determine their salaries. He may relieve, suspend or discharge the employees of said armories, arsenals and camp grounds at any time for good reasons.

Special fund.

Appointment of employees.

Discharging employees.

Condemning property.

6. Condemnation of military and naval property. No lands leased by the State or the United States for armory or arsenal sites, or target rangers, shall be subjected to condemnation proceedings without first obtaining the approval of the Governor.

Sale of unnecessary property.

7. Sale of buildings and grounds and application of proceeds. When buildings and grounds have been declared by the State military board as surplus or unsuitable for military or naval purposes, and their sale is authorized by the Governor, the said buildings and grounds shall forthwith be sold to the highest bidder, consistent with the best interests of the State, and the proceeds of the sale shall be applied first to the payment of the expenses of such sale, and the balance thereof retained by the Quartermaster-General and applied by him for or on account of the purchase of such further sites,

Use of proceeds.

grounds, or for the construction of such new buildings as shall be required for the use of the militia.

Convey title.

Upon receipt of payment in full of the purchase price, the Quartermaster-General in behalf of the State, shall be authorized to convey to the purchaser, full title to the properties so disposed of.

Funds of disbanded companies.

8. Funds of disbanded organizations. The Quartermaster-General shall secure and hold in custody the funds of disbanded organizations after settling such necessary obligations as may be presented for payment within six months after such disbandment. Whenever any disbanded organization shall be replaced within a year the moneys shall be transferred by the Quartermaster-General to the new organization. If no new organization be organized as above specified, the funds may be expended in such manner as he deems best.

Disbursing officer.

9. Property and disbursing officer. The Governor shall designate, subject to the approval of the Secretary of War, an officer who shall be the property and disbursing officer for the United States.

Duties.

Such officer shall receipt and account for all funds and property belonging to the United States in possession of the National Guard, and shall make such returns and reports concerning the same as may be required by the Secretary of War, or the Governor.

ARTICLE V

THE STATE MILITARY BOARD

Military board.

1. Composition. There shall be a board of officers to be known as the State Military Board. Such board shall consist of the commanding general of the National Guard, who shall be the president thereof, the Adjutant-General who shall be secretary thereof, the Quartermaster-General, the brigade commanders, the commanding officers of the several regiments and separate battalions and the senior officer of the Naval Militia. The board shall convene on the call of the president, for the consideration of matters of interest to the militia,

Meetings.

and for the execution of such laws and regulations with which it is charged.

As to armories.

2. Armories recommended by military board. No armory shall be erected nor appropriation made therefor until the same shall have been first recommended by the State Military Board. Its recommendations and decisions shall not become effective until after approval by the Governor. The recommendation of the State Military Board respecting the erection of armories shall be transmitted to the Governor, who shall refer the same with his recommendation to the Legislature.

Rules regulating armories and camps.

3. Power to prescribe rules and regulations relating to armories and camp grounds. The State Military Board shall make and prescribe all rules and regulations relating to the management, maintenance, leasing, rental and use of armories and camp grounds.

Expenses and pay.

4. Expenses and compensation of members. Officers comprising the State Military Board shall receive their actual traveling expenses in going to and returning from the place of sitting, and be paid the pay of their rank for each day actually employed.

ARTICLE VI

THE NATIONAL GUARD

National guard how composed.

1. Composition and organization. The National Guard shall consist of those organizations and units of the organized militia which are or hereafter may be authorized by the laws of the United States or the regulations issued thereunder for the National Guard, to which organizations and units recognition shall have been extended by the Federal government, and the general officers, officers, warrant officers and enlisted men, commissioned, warranted or enlisted therein and in the National Guard of the United States.

Commander.

2. Command. The National Guard, except the State staff, departments and detachment, shall be commanded by the senior officer of the line in active service, who shall be responsible for the adminis-

tration, training, discipline and general efficiency thereof.

Division organization.

3. Organization of division. The National Guard, except the State staff, departments and detachment, to the extent authorized by applicable Federal tables of organization, shall be organized and maintained as a division. Those units of the National Guard, except the State staff, departments and detachment, which by such tables of organization shall not be included within the division, shall be attached thereto for administration, training and discipline.

Provision for training.

Headquarters.

4. Division headquarters. The commanding general shall establish and maintain a division headquarters. There shall be assigned from the active National Guard, for duty with said headquarters, such officer and enlisted personnel as the commanding general shall deem necessary.

System of training.

5. Discipline and training. The discipline and training of the National Guard shall conform to the system prescribed for the regular army and the National Guard.

Designation.

6. Use of designation. During the absence of any organization in the service of the United States, its designation shall not be given to or used by any other organization.

Assignment of personnel when disbanded.

7. Disbandment of organization. Whenever any organization is disbanded, the personnel thereof shall be disposed of in accordance with regulations.

ARTICLE VII

COMMISSIONED OFFICERS

Citizenship.

1. Eligibility. Commissioned officers shall be citizens of the United States between the ages of twenty-one and sixty-four years.

Officers selected from certain classes.

2. Classes from which officers are to be selected. No person shall be commissioned unless he shall be appointed or elected as hereinafter provided, and selected from one of the following classes, and shall have subscribed to the oath of office as hereinafter provided; officers or enlisted men of the National

Guard; officers, active or retired, reserve officers, and former officers of the army, navy or marine corps; enlisted men and former enlisted men of the army, navy and marine corps who have received an honorable discharge therefrom; graduates of the United States Military or Naval Academies; graduates of schools, colleges, universities, and officers' training camps where they have received military instruction under the supervision of an officer of the regular army, who certified their fitness for appointment as commissioned officers; and for the technical branches or staff corps and departments, such other civilians as may be especially qualified for duty therein.

Oath of officers.

3. Oath of office. Every commissioned and warrant officer shall take and subscribe to the following oath of office:

"I, ..., do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of New Jersey against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I will obey the orders of the President of the United States and of the Governor of the State of New Jersey; that I make this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office of ..... in the National Guard of the United States and of the State of New Jersey upon which I am about to enter, so help me God."

Appointments by Governor.

4. Appointment of officers. The Adjutant-General, the Quartermaster-General and general officers of the line, above the grade of brigadier general, shall be nominated by the Governor, and appointed by him, with the advice and consent of the Senate. During the time that the Senate is not in session the Governor may make such nominations and appointments subject to subsequent confirmation by the Senate. The Governor shall appoint all State staff and department officers and

Senate confirmations.

Other appointments.

Sub-appointments.

all other militia officers whose appointment is not otherwise provided for in this act. General officers of the line and commanding officers of regiments, separate battalions and squadrons shall appoint the staff officers of their divisions, brigades, regiments, separate battalions and squadrons, respectively.

Election military officers.

5. Election of officers. Brigade commanders shall be elected by the field officers of their respective brigades. Field officers of regiments, separate battalions and squadrons shall be elected by the commissioned officers of their respective regiments, separate battalions and squadrons. Officers and noncommissioned officers of companies or similar units shall be elected by the members of their respective companies or units. In case the electors of field or company officers shall refuse or neglect to make such elections, the Governor shall have power to appoint such officers and to fill all vacancies caused by such refusal or neglect.

Notice of and conducting elections.

6. Manner of election. All elections for commissioned and noncommissioned officers of the line shall be by ballot and a majority of all votes cast shall be necessary for a choice. Notice of the time and place of election shall be served personally or deposited in a United States post office, addressed to the persons entitled to vote at their last known places of abode, with postage thereon paid, at least five days in advance of the said election.

Notice to fill vacancies—by whom given.

7. Notices of elections to fill vacancies. Notices of elections to fill vacancies shall be given as follows:

a. For brigadier general, by the commanding general;

b. For field officers of a brigade, by the brigade commander;

c. For field officers of separate regiments, battalions and squadrons, by the commanding general;

d. For company officers of brigade headquarters companies, batteries or troops, by the brigade commander:

e. For company officers of regiments, separate battalions or squadrons, by the commanding officer of such regiment, battalion or squadron; and

f. In all other cases, by the Governor.

Election certified.

8. Certification of election. The officer designated to hold an election shall certify the results to the Adjutant-General, through military channels.

Commissioned by Governor.

9. Commissions. Any person who shall have been duly appointed or elected and shall have passed the required examination shall be commissioned by the Governor. No person shall assume the status or perform the duties of an officer until he shall have been duly announced in orders issued by the Adjutant-General. Commissions shall be issued to the officers in the arm, corps or department of the service of which they are a part and not in any regiment or other unit. The acceptance of a commission in the National Guard shall be deemed a resignation by the person accepting the same of all other commissions held by him in the military service of the State. Nothing herein contained shall apply to or effect the status of persons holding commissions in the United States officers' reserve corps or the acceptance and holding of brevet or advanced commissions.

Effect of acceptance of commission.

Vacated commission.

10. Vacating of commissions. Commissions of officers shall be vacated upon resignation or pursuant to the sentence of a court-martial.

Unassigned officers list.

11. Unassigned list. There shall be an unassigned list for commissioned officers. A commissioned officer may be transferred to the unassigned list:

a. Pending the acceptance of his resignation;

b. If he shall have been absent from the State without leave for more than three months;

c. If he shall fail to maintain his qualifications for Federal recognition; and

d. If he shall have been the subject of an unfavorable report rendered by an efficiency board, and such report shall have been approved by the Governor.

Warrant officers.

12. Warrant officers. Warrant officers shall be appointed and warranted by the Governor, at his discretion, upon the recommendation of the commanding officer of the organization with which they serve.

Required tests.

13. Examination. No commission or warrant shall hereafter be issued to any person hereafter appointed or elected a commissioned officer or warrant officer unless he shall first have successfully passed such tests as to his physical, moral and professional fitness as may be prescribed by the President of the United States or the Governor.

Resignations.

14. Resignation. A commissioned officer may resign his commission, but such resignation shall not become effective until it shall have been accepted by the Governor.

Retirement by age or service.

15. Retired list; retirement. There shall be a retired list for commissioned officers. Any officer who has reached the age of sixty-four years shall be placed upon the retired list by the Governor. Any commissioned officer who shall have served for a period of ten years in the military service of this State may, upon application to the Governor, be relieved from active service and placed upon the retired list. The Governor may detail officers from the retired list, with their consent, to active duty, and return them to such list in his discretion; *provided*, that officers retired for age or disability shall not be detailed to command troops. In time of war or imminent danger thereof retired officers may be detailed by the Governor to perform any military duty assigned by him.

Detail of retired officers.

Proviso.

Seniority.

16. Seniority and rank. Seniority of commissioned officers of like grade shall be determined by the total length of active service in that grade or in a higher grade. When the service of two or more officers of the same grade shall be equal, precedence shall be determined by length of active commissioned service, and if length of active commissioned service be the same, they shall take rank among themselves according to age.

17. Staff officers. Staff officers, including officers of all departments, hereafter appointed shall have had previous military experience and shall hold their positions until they shall have reached the age of sixty-four years, unless retired prior to that time by reason of resignation, disability or for cause to be determined by a court-martial legally convened for that purpose, and vacancies among said officers shall be filled by appointment from the classes from which officers shall be selected in section two of this article. Requirements for staff officers.

18. Advanced rank. The Governor by and with the advice and consent of the Senate may confer upon any commissioned officer placed upon the retired list who shall have completed twenty years of active service in the National Guard a rank not more than one grade higher than the highest rank held by him during his term of service. In computing time for retirement under this section, active service in the National Guard or Naval Militia of any State, or in the regular army, navy or marine corps of the United States, shall be counted; *provided, however,* that no advanced rank shall be conferred upon any person who has served less than fifteen years in the active New Jersey National Guard. Brevet rank. Proviso.

19. Uniforms and equipment. Commissioned officers and warrant officers shall provide themselves with the arms, uniform and equipment prescribed by the uniform regulations governing the same. Officers provide own uniform and equipment.

20. Pay and allowances. Any commissioned officer or warrant officer ordered for duty by the Governor shall receive for every day actually on duty the pay and allowances prescribed by Federal regulations for an officer or warrant officer of equal grade and length of service when called or ordered into the service of the United States; *provided, however,* that officers shall not receive said pay and allowances when ordered for duty for drill, inspection, small arms practice, parade, review or when ordered on duty in compliance with instructions from the Federal government for service for which they are to receive pay and allowances from Federal funds. Service allowance. Proviso.

Placing officers of disbanded organizations.

21. Disposition of officers and warrant officers, on disbandment of organization. Officers and warrant officers rendered surplus by the disbandment of any organization shall be disposed of in accordance with regulations.

ARTICLE VIII

ENLISTED MEN

Enlistments.

1. Eligibility. Except as otherwise provided in regulations, any able-bodied male person, between the ages of eighteen and forty-five years, who is a citizen of the United States, or who has declared his intention to become 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.

Years of enlistment.

2. Terms of enlistments. Original enlistments in the National Guard shall be for a period of three years and subsequent enlistments for periods of one or three years each.

Contract and oath.

3. Contract and oath of enlistment. Every person who enlists or re-enlists in the National Guard shall sign an enlistment contract and take and subscribe to the following oath of enlistment:

Wording of oath.

"I do hereby acknowledge to have voluntarily enlisted this ..... day of ....., 19...., as a soldier in the National Guard of the United States and of the State of New Jersey, for the period of three (or one) year ....., under the conditions prescribed by law unless sooner discharged by proper authority. And I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of New Jersey, and that I will serve them honestly and faithfully against all their enemies whomsoever, and that I will obey the orders of the President of the United States and of the Governor of the State of New Jersey, and of the officers appointed over me according to law and the rules and articles of war."

Warrant officers.

4. Warrants for noncommissioned officers. Warrants shall be issued to noncommissioned officers as prescribed in regulations. They shall be warranted at the discretion of the officer issuing the warrant, upon the written nomination of the officer under whose immediate command they shall serve. The officer warranting a noncommissioned officer shall have power to reduce him to the ranks.

Demoting.

Transfers.

5. Transfers. Enlisted men may be transferred to or from organizations, departments or corps or otherwise as provided by the regulations.

Discharge in writing.

6. Discharge. An enlisted man discharged from service, except when called, ordered or drafted into the military service of the United States, shall receive a discharge in writing in such form and with such classification as is or shall be prescribed in regulations. In time of peace, discharges may be given prior to the expiration of the term of enlistment under such regulations as the President may prescribe.

Pay of enlisted men.

7. Pay for enlisted men. Each enlisted man ordered to duty by the Governor shall receive for every day actually on duty, in addition to allowances for rations in money or kind, the following sums: noncommissioned officers of the first grade, four dollars and twenty cents ($4.20); second grade, two dollars and eighty cents ($2.80); third grade, two dollars and forty cents ($2.40); fourth and fifth grades, one dollar and seventy-five cents ($1.75); privates of the sixth and seventh grades, one dollar and fifty cents ($1.50); band musicians and cooks, four dollars ($4.00). Enlisted men shall not receive pay when ordered for duty under this section for inspection, drill, parade or review. Enlisted men ordered for duty in accordance with section but not at the time serving with troops shall receive in addition to their pay their actual traveling expenses and subsistence.

Rations.

When no pay.

Traveling allowance.

ARTICLE IX

INACTIVE NATIONAL GUARD

Inactive guard how composed.

1. Composition. The inactive National Guard shall consist of such officers and enlisted men as may be transferred thereto from the active National Guard pursuant to the laws of the United States and the regulations issued thereunder.

Field training.

2. Active duty training. Members of the inactive National Guard may be required to attend field training; *provided,* Federal funds are available for this purpose, and they have satisfactorily completed the inactive duty training prescribed in regulations.

Proviso.

Transfer of officers.

3. Transfer of officers. Under such regulations as the Secretary of War may prescribe, upon termination of service in the active National Guard, an officer of the active National Guard may be transferred to the inactive National Guard and likewise an officer may be transferred within the inactive National Guard from one organization to another and from one arm or service to another. An officer of the inactive National Guard cannot be transferred to the active National Guard.

Transfer of enlisted men.

4. Transfer of enlisted men. Under such regulations as the Secretary of War may prescribe, enlisted men of the active National Guard, not formerly enlisted in the inactive National Guard or the National Guard of the United States, may be transferred to the inactive National Guard; likewise enlisted men hereafter transferred to the inactive National Guard may be transferred within the inactive National Guard from one organization to another and from one arm or service to another and may be transferred to the active National Guard; *provided,* that in time of peace no enlisted man shall be required to serve under any enlistment for a longer time than the period for which he enlisted in the active or inactive National Guard, as the case may be.

Proviso.

ARTICLE X

MILITARY COURTS

Classes of military courts.

1. Kinds of military courts. The military courts of this State for the National Guard shall be:

a. Courts of inquiry;
b. General courts-martial;
c. Special courts-martial; and
d. Summary courts-martial.

Powers and procedure.

2. Powers. The military courts of this State shall be constituted in the same manner, have cognizance of the same subjects, and possess like powers, except as to punishment, as similar courts provided for by the laws and regulations governing the army of the United States. The proceedings of courts of inquiry and courts-martial of the National Guard shall follow the forms and modes of procedure prescribed for said similar courts.

Court of inquiry.

3. Courts of inquiry. Courts of inquiry shall consist of not less than three officers of at least equal grade with the officer in regard to whom the court is ordered. Courts of inquiry may be ordered by the Governor or by the commanding general of the National Guard to examine into the nature of any transaction of or accusation or imputation against any officer or enlisted man. The court shall report, without delay, to the officer ordering it, the evidence adduced, a statement of the facts, and, when required, an opinion thereon.

General court-martial—findings.

4. General courts-martial. General courts-martial may be convened by order of the Governor. Such courts may:

a. Impose fines not exceeding two hundred dollars ($200.00);
b. Sentence to forfeiture of pay and allowances;
c. Sentence to reprimand;
d. Sentence to dismissal or dishonorable discharge from the service; or
e. Sentence noncommissioned officers to reduction to the ranks.

Combined sentence.

Any two or more of such punishments may be combined in any sentence imposed by such courts.

Special court-martial.

5. Special courts-martial. The commanding officer of each garrison, fort, post, camp or other place, brigade, regiment, detached battalion, or other detached command may appoint special courts-martial for his command. Such special courts-martial may in any case be appointed by superior authority whenever he shall deem it desirable.

Jurisdiction.

Special courts-martial may try any person subject to military law, except a commissioned officer, for any crime or offense made punishable by the military laws of the United States. Such special courts-martial shall have the same powers of punishment that general courts-martial have, except that fines imposed by such courts shall not exceed one hundred dollars ($100.00).

Summary court-martial.

6. Summary courts-martial. The commanding officer of each garrison, fort, post or other place, regiment or corps, detached battalion, company or other detachment may appoint for such place or command a summary court to consist of one officer. Such officer may administer oaths and try the enlisted men of such place or command for breaches of discipline and violations of laws governing such organizations. Such court when satisfied of the guilt of such soldier may impose fines not exceeding twenty-five dollars ($25.00) for any single offense. It may sentence noncommissioned officers to reduction to the ranks and may sentence to forfeiture of pay and allowances. The proceedings of such courts shall be informal and the minutes thereof shall be the same as prescribed for summary courts-martial of the army of the United States.

Finding.

Fine.

Forfeits.

Confinement.

7. Sentence to confinement. All courts-martial, including summary courts, may sentence to confinement in lieu of fines authorized to be imposed. Such sentences to confinement shall not exceed one day for each dollar of fine authorized.

Approving sentence.

8. Approval of sentences. A sentence of any court-martial shall not become effective until ap-

proved by the convening authority. Sentence of dismissal from service or dishonorable discharge imposed by a court-martial, shall not be executed until approved by the Governor.

Issuing warrants:

9. Power to issue warrants. Presidents of courts-martial and summary court officers may:

Arresting accused persons;

a. Issue warrants to arrest accused persons and bring them before the court for trial when such persons shall have disobeyed an order in writing from the convening authority to appear before such court, and a copy of the charges shall have been delivered to the accused with such order;

Convicted persons;

b. Issue warrants for the arrest and confinement for convicted persons; and

Other warrants.

c. Issue any other warrant, writ or process which may be necessary to enable the court to carry into full effect the powers vested in such court by the laws of the United States and of this State.

Committing accused.

10. Commitment of accused pending trial. When an accused person shall have been arrested for failure to appear before a court-martial for trial, in accordance with section nine of this article, the president of the court-martial or summary court officer to whom the charges have been referred for trial, may issue a warrant to the civil officer making the arrest for the commitment of such person to prison or jail pending trial. In such cases the accused shall be admitted to bail, the amount of bail fixed, and the surety or sureties thereon approved, by the president of the court-martial or the summary court officer issuing the warrant. In default of bail such person shall be confined pending trial. No person shall be kept in prison or jail pending trial for more than five days.

Bail.

Subpœnaing.

11. Power to issue subpœnas. Presidents of courts of inquiry, courts-martial, and summary court officers may issue subpœnas and subpœnas duces tecum, and enforce the attendance of witnesses and the production of books and papers, and sentence for a refusal to be sworn or to answer as provided in civil courts.

Executing process.

12. Officers authorized to execute process. All processes, writs, warrants and sentences of the military courts shall be directed to and executed by any sheriff, member of the State police or any other officer or member of the police department of any municipality, or any other ministerial officer or any county or municipality. They shall be similar in form to like processes, writs, or warrants issued by civil courts, or in such forms as may be prescribed by the Governor in regulations. All officers to whom such process, writ or warrant may be directed shall execute the same and make return thereof to the officer issuing them.

When jailed.

13. Confinement of persons committed by military court. The keepers and wardens of all city or county jails shall receive the persons committed to them by a military court, and shall confine them in accordance with the direction of such court and according to law.

Payment of fines.

14. Payment of fines; disposition. Fines shall be paid to the court imposing them, to the civil officer executing its process, or to the commanding officer of the organization of which the accused is a member. All fines imposed and collected from enlisted men by reason of the sentence of any court-martial, except such as may be payable to the United States, shall be paid into the organization fund of which the enlisted man is a member, and shall be accounted for in the same manner as other funds of such organization.

Disposition of fines collected.

Member of court free from liability.

15. Indemnity for action of military court. No action or proceedings for damages shall be prosecuted or maintained against a member of a military court, or persons acting under its authority or reviewing its proceedings on account of the approval, or imposition or collection of any fine or other penalty, or the execution of any warrant, writ or other process of a military court.

Witness fees.

16. Reporter and witness fees. Any witness subpœnaed to appear before any military court shall receive the same fees as are provided by law for witnesses appearing in a civil court. The re-

porter of any court shall be paid for stenographic services the same fees as are provided by law for similar services in civil courts. Reporter.

17. Fees of civil officers; costs; records. Fees for services of civil officers shall be the same as provided by law for services in civil courts. Costs will be levied and disbursed by the court. Records of all levies and disbursements shall be kept in the headquarters of the organization concerned. Fees for civil officers.

18. Federal regulations govern. In case of conflict between any provisions of this article and the provisions of the Federal law or regulations regarding federally recognized National Guard, the provisions of the Federal law or regulations shall prevail. Federal law and regulations prevail.

ARTICLE XI

NAVAL MILITIA

1. Composition, organization. The Naval Militia shall consist of those organizations and units of the organized militia which are or hereafter may be prescribed by the laws of the United States or the regulations issued thereunder for the Naval Reserve, to which organizations and units recognition has been extended by the Federal government, and the officers, warrant officers and enlisted men, commissioned, warranted or enlisted therein and in the Naval Reserve of the United States. Naval militia; how composed.

2. Command. The Naval Militia shall be commanded by an officer with the rank of captain, or by the senior line officer in active service. Commandant.

3. Discipline and training. The discipline and training of the Naval Militia shall conform to the system prescribed for the United States Navy and Naval Reserve. Training.

4. Eligibility of commissioned officers. Commissioned officers shall be citizens of the United States between the ages of twenty-one and sixty-four years. Officers must be citizens.

5. Classes from which commissioned officers selected. No person shall be commissioned unless he shall be appointed or elected as hereinafter pro- Classes of officers.

vided, and selected from one of the following classes:

Officers or enlisted men of the Naval Militia or Naval Reserve force;

Officers, active or retired, reserve officers and former officers of the army, navy or marine corps;

Enlisted men or former enlisted men of the army, navy, marine corps, and Naval Reserve force who have received an honorable discharge therefrom;

Graduates of the United States military or naval academies;

Graduates of schools, colleges or universities and officers' training camps who have received military instruction under the supervision of an officer of the army or navy who certified their fitness for appointment as commissioned officers; and

Such civilians as may be specially qualified for duty for the technical branches or staff corps and departments.

Oath.

6. Oath of office. No commission or warrant shall be issued to any officer until he shall have taken and prescribed to the following oath of office:

Form of oath.

"I, ..., do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of New Jersey against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I will obey the orders of the President of the United States and of the Governor of the State of New Jersey; that I make this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office of ..... in the Naval Militia of the State of New Jersey upon which I am about to enter, so help me God."

Election of officers.

7. Election of officers. Brigade commanders shall be elected by the officers of their respective brigades.

Battalion commanders and executive officers shall be elected by the officers of their respective battalions.

Division officers shall be elected by the members of their respective divisions.

Governor may fill vacancy.

In case the electors of any officer shall refuse or neglect to make such election, the Governor shall have the power to appoint such officer, and to fill any vacancies caused by such a refusal or neglect.

Election—how conducted.

8. Manner of election. All elections shall be by ballot and a majority of all votes cast shall be necessary for a choice. Notice of the time and place of election shall be served personally or deposited in a United States post office, addressed to the persons entitled to vote, at their last known place of abode, with postage thereon paid, at least five days in advance of the said election.

Notice to fill vacancy.

9. Notice of election to fill vacancy. When there is a vacancy for line officers, notice shall be given of an election to fill such vacancy as follows:

For battalion commander and executive officers, by the brigade commander;

For the line officers (lieutenant, lieutenants (junior grade) and ensigns), by the battalion commanders; and

For brigade commander, by the Governor.

Result of election certified.

10. Certificate of election. The officer designated to hold an election shall certify the result to the Adjutant-General through the proper channel.

Commissions.

11. Commissions. Any person who shall have been duly appointed or elected and who shall have passed the required examination, shall be commissioned by the Governor. No person shall assume the status or perform the duties of an officer until he shall have been duly announced in orders issued by the Adjutant-General.

Affect of acceptance of commission.

12. Acceptance of commission deemed resignation of other commissions. The acceptance of the commission in the Naval Militia shall be deemed a resignation, by the person accepting the same, of all other commissions held by him in the naval service of this State. Nothing in this section shall apply to or affect the status of a person holding a commission in the United States naval reserve force or the acceptance and holding of a brevet or advanced commission.

Vacating commission.

13. Commissions vacated. Commissions of officers shall be vacated upon resignation, absence from the State without leave for more than three months, or pursuant to the sentence of a court-martial.

Warrant officers.

14. Appointment of warrant officers. Warrant officers shall be appointed and warranted by the Governor upon the recommendation of the brigade commander.

Test of fitness.

15. Examination. No commission or warrant shall hereafter be issued to any person hereafter appointed or elected a commissioned officer or warrant officer unless he shall first have passed such tests as to his physical, moral and professional fitness as may be prescribed by the President of the United States or the Governor.

Accepting resignation.

16. Resignation. A commissioned officer may resign his commission, but such resignation shall not become effective until it shall have been accepted by the Governor.

Retirement.

17. Retired list; retirement. There shall be a retired list for commissioned officers. Any officer who has reached the age of sixty-four years shall be placed upon the retired list by the Governor. Any commissioned officer who shall have served for a period of ten years in the naval service of this State may, upon application to the Governor, be relieved from active service and placed upon the retired list. The Governor may detail officers from the retired list, with their consent, to active duty, and return them to such list in his discretion; *provided*, that officers retired for age or disability shall not be detailed to command troops. In time of war or imminent danger thereof retired officers may be detailed by the Governor to perform any military duty assigned by him.

Detailed officers.

Proviso.

Seniority.

18. Seniority and rank. Seniority of commissioned officers of like grade shall be determined by the total length of active service in that grade or in a higher grade. When the service of two or more officers of the same grade shall be equal, precedence shall be determined by length of active commis-

sioned service, and if length of active commissioned service be the same, they shall take rank among themselves according to age.

Brevet rank.

19. Advanced rank. The Governor, by and with the advice and consent of the Senate, may confer upon any commissioned officer placed upon the retired list who shall have completed twenty years of active service in the Naval Militia a rank not more than one grade higher than the highest rank held by him during his term of service. In computing time for retirement under this section, active service in the National Guard or Naval Militia of any State, or in the regular army, navy or marine corps of the United States, shall be counted; *provided, however,* that no advanced rank shall be conferred upon any person who has served less than fifteen years in the active New Jersey Naval Militia.

Years of service.

Proviso.

Officers furnish own uniform and equipment.

20. Uniforms and equipment. Commissioned officers and warrant officers shall provide themselves with the arms, uniform and equipment prescribed by the uniform regulations governing the same.

Pay on duty.

21. Pay for officers while on active duty. When the Naval Militia shall perform active service duty under orders of the Governor, the officers and warrant officers shall receive the same pay and allowances for active duty as shall be received by officers of like rank and active service of the United States Navy while on active duty.

Enlisted men.

22. Enlisted men; eligibility. 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, or who has declared his intention to become a citizen of the United States, may be enlisted in the Naval Militia. 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.

Terms.

23. Terms of enlistment. Original enlistments in the Naval Militia shall be for a period of four years, and subsequent enlistments for periods of one or four years each.

Contract.

24. Contract and oath of enlistment. Every person who enlists or re-enlists in the Naval Militia shall sign an enlistment contract to the following oath of enlistment:

Form of oath.

"I, ..., do hereby acknowledge to have voluntarily enlisted this ..... day of ....., 19..., in the Naval Militia of the State of New Jersey for the period of four (or one) year.., under the conditions prescribed by law unless sooner discharged by proper authority, and I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of New Jersey, and that I will serve them honestly and faithfully against all their enemies whomsoever, and that I will obey the orders of the President of the United States and of the Governor of the State of New Jersey and of the officers appointed over me according to the law and the rules and articles for the government of the navy.

Transfers.

25. Transfers. Enlisted men may be transferred to or from organizations or units as provided by the regulations.

Discharge in writing.

26. Discharge. All enlisted men discharged from service, except when drafted into the military service of the United States, shall receive a discharge in writing in such form and with such classification as is or shall be prescribed for the navy or naval reserve of the United States. In time of peace discharges may be given prior to the expiration of the term of enlistment under such regulations as may be prescribed.

Men's pay on duty.

27. Pay for enlisted men while on active duty. When the Naval Militia shall perform active service duty under the orders of the Governor, chief petty officers, petty officers and other enlisted men shall receive the same pay for active duty as that received by enlisted men of like grade in the National Guard as authorized in section seven, article VIII, of this act.

Courts.

28. Naval courts. The courts-martial and courts of inquiry of the Naval Militia shall be constituted

in the same manner and have cognizance of the same subjects and possess like powers, except as to punishment, as similar courts provided for by the laws and regulations governing the navy of the United States. The proceedings of courts of inquiry and courts-martial of the Naval Militia shall follow the forms and modes of procedure prescribed for such similar courts. Proceedings.

29. Armories. Armories of the Naval Militia shall be situated on or near the navigable waters of the State in such positions as to best promote the efficiency of the service. The word "armories" as used or applied by the laws relative to the Naval Militia shall be held to include vessels while used only for the purpose of instruction, drill or defense. Armories.

30. Inactive Naval Militia. There shall be an inactive Naval Militia. With the approval of the commanding officer of the Naval Militia, enlisted men of the Naval Militia may be transferred to the inactive Naval Militia, and may be transferred from the inactive Naval Militia back to the Naval Militia. Inactive naval militia.

31. Construction of act to include Naval Militia. All provisions of this act applicable to the Naval Militia shall be construed as including the same. Construing act.

Article XII

NEW JERSEY GUARD

1. When organized. When the National Guard or Naval Militia of the State shall have been called, ordered or drafted into the service of the United States for war or an emergency, the Governor shall, and at any time if he deems it advisable, he may organize from the unorganized militia the New Jersey guard, which may be composed of military units or naval units or both. New Jersey guard.

2. Composition. The New Jersey guard shall consist of the persons regularly enlisted therein, between the ages of eighteen and fifty-five years, and the commissioned officers therein, between the ages of twenty-one and sixty-four years. How New Jersey guard composed.

Training, etc.

3. Organization, administration and training. The organization, administration and training of the New Jersey guard shall be, in so far as practicable, in accordance with regulations.

Commandant.

4. Command; administration. The New Jersey guard shall be commanded by such officer of the line as may be designated for that purpose by the Governor. He shall have all the powers in respect to the New Jersey guard conferred by law or regulations upon the commanding general of the National Guard.

Officers.

5. Appointment of officers; oath. All officers of the military units of the New Jersey guard shall be appointed or elected in accordance with the provisions of section four to eight, inclusive, article VII, of this act. All officers in the naval units of the New Jersey guard shall be appointed or elected in accordance with the provisions of sections four to ten, inclusive, article XI, of this act. They shall be commissioned by the Governor, subject to the requirements and conditions prescribed by the relevant laws and regulations. In time of war or other emergency, the requirements of the law in respect to existing rank or service and prior service may be suspended by the Governor. The oath to be taken by commissioned officers in the military units of the New Jersey guard shall be substantially in the form prescribed in section three, article VII, of this act, substituting the words "New Jersey guard" where necessary. The oath to be taken by commissioned officers in the naval units of the New Jersey guard shall be substantially in the form prescribed in section six, article XI, of this act, substituting the words "New Jersey guard" where necessary.

Commissioned by Governor.

Oath.

Oath of enlisted men of New Jersey guard.

6. Oath, enlisted men. The oath to be taken upon enlistment in the military units of the New Jersey guard shall be substantially in the form prescribed in section three, article VIII, of this act, substituting the words "New Jersey guard" where necessary. The oath to be taken upon enlistment in the naval units of the New Jersey guard shall be sub-

stantially in the form prescribed in section twenty-four, article XI, of this act, substituting the words "New Jersey guard" where necessary.

Term of service.

7. Duration. The New Jersey guard, or any part thereof, may be disbanded by the Governor at any time. Those units which shall be organized in time of war or emergency shall not continue in service beyond the period of such war or emergency.

Laws and regulations applicable.

8. Provisions of law and regulations. The provisions of law and the regulations in respect to the National Guard and Naval Militia of the State, where applicable, shall apply to the New Jersey guard, except as otherwise prescribed in this article.

Article XIII

PRIVILEGES AND IMMUNITIES

Military property exempt from legal process.

1. Military property exempt from process of law. The uniforms, arms and equipment and other military property of the United States or this State shall be exempt from every process of law. This provision shall not be interpreted to exempt the seizure of military property mentioned in sections ten, eleven and twelve, article XIV of this act.

Exemption from civil process.

2. Exemption from civil process. No person belonging to the military or naval forces of this State shall be arrested on any civil process while going to, remaining at or during the performance of any duty of a military or naval character or returning from any place at which he may be required by competent authority to attend for military or naval duty.

Pay exempt.

3. Compensation exempt from legal process. The pay and allowances due or to become due to any member of the military or naval forces for active service, and any compensation that may be awarded for injuries or death sustained therein, shall be exempt from attachment, execution or other legal process.

Absences.

4. Leave of absence for State and municipal employees without loss of pay; additional to regular vacation. All officers and employees of this State

or of any county or of any municipality in the State or of any board or commission of the State or of any county or municipality who are members of the National Guard, Naval Militia or New Jersey guard shall be entitled to leave of absence from their respective duties without loss of pay or time on all days during which they shall be engaged in field training or other duty ordered by the Governor. Leave of absence for military duty or naval shall be in addition to the regular vacation allowed to such employees by the State, county or municipal law, ordinance, resolution, or regulation.

Loss of salary met.

5. Salary to equal loss suffered while on active service. During the absence of any such officer or other employee, mentioned in section four of this article, on active service with the army or navy of the United States or any other organization affiliated therewith, such person shall receive such portion of his salary or compensation as will equal the loss he may suffer while on such active service.

Liability.

6. Relief from civil or criminal liability. Members of the military or naval forces ordered into the active service of the State by proper authority shall not be liable civilly or criminally for any acts done by them while engaged in the performance of their duty.

Security for costs in legal procedure.

7. Actions against officers or enlisted men; security for costs. When an action or proceeding of any nature shall be commenced in any court against any officer or enlisted man either for any act done by such officer in his official capacity in the discharge of his duty, or for an alleged omission to do an act which it was his duty to perform, or against any officer or enlisted man acting under proper authority for any act done in pursuance thereof, or by any warrant issued pursuant to law. The defendants in any such action or proceeding may require the person instituting or prosecuting the same to file security for the payment of costs in such amount and in such form as the judge of the court, in which such proceeding was instituted, may determine. In case the plaintiff shall be nonsuited

Costs in nonsuit.

or have a verdict or judgment rendered against him the defendant shall recover treble costs. The defendant or defendants in any such action or proceeding shall be represented and defended by the Attorney-General of the State at the expense of the State. Counsel to defendant.

8. Eligibility for disability and retirement privileges. Officers and enlisted men serving the State in a permanent duty status shall be eligible for the disability and retirement privileges and benefits available to all other employees of the State. Privileges.

9. Exemption from jury duty. Every member of the military or naval forces of the State shall be exempt from all jury duty; *provided,* he shall furnish to the proper authorities a certificate that he has performed the duties required of him in a satisfactory manner for the year immediately preceding a summons to act as juryman, or during the period of his service if less than one year. Every such member who shall have served three years and who shall have received a full and honorable discharge shall be exempt forever after from all jury duty. No jury duty. Proviso. Complete exemption.

Article XIV

FUNDS AND PUBLIC PROPERTY

1. Counties and municipalities may appropriate money for armory purposes; bonds. The board of chosen freeholders of any county and the governing body of any municipality shall have power to issue bonds in the manner authorized by the provisions of an act entitled "An act to authorize and regulate the issuance of bonds, and other obligations and the incurring of indebtedness, by county, city, borough, village, town, township, or any municipality governed by an improvement commission," approved March twenty-second, one thousand nine hundred and sixteen, and the acts amendatory thereof and supplemental thereto, and/or to appropriate and raise by taxation such sum or sums of money as they may deem expedient for the purchase of land and/or buildings for use Bond issue for armories. Amount. Purpose.

of the National Guard or Naval Militia, and/or for the construction and equipping of any armory, arsenal and/or other building, camp ground and rifle ranges located or to be located therein and/or for the maintenance and support of any units thereof located in such county or municipality, and/or to gratuitously give or grant by appropriate deed or conveyance any land and/or buildings located in and owned by such county or municipality for the use of the National Guard or Naval Militia, for any or all of the above-mentioned purposes.

Condemnation proceedings instituted to acquire title to lands.

2. Property acquired by condemnation. If such lands or any part thereof cannot be obtained by agreement with the owner or owners thereof the board of chosen freeholders of any county or the governing body of any such municipality are hereby authorized and empowered as agents and representatives of the State to institute proceedings and to acquire title to such lands for use of the State pursuant to the provisions of an act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use" (Revision of 1900), approved March twentieth, one thousand nine hundred, and the acts amendatory thereof and supplemental thereto, and upon such acquisition as aforesaid the lands so acquired shall be used for any of the purposes mentioned in section one of this article.

Officers responsible for property bonded.

3. Bonds of officers responsible for funds and public property. Any officer to whom military or naval property of the United States or of this State is issued or to whom public money is paid or who holds and disburses any military or naval funds, shall be required to give bond with surety conditioned faithfully to perform the duties of his office and to account properly for all moneys or funds received and disbursed by him. Such bonds shall be in amount, form, and with surety satisfactory to the Quartermaster-General and filed in his office. The premium thereon shall be paid by the State.

Responsibility for property.

4. Financial and personal responsibility. Every officer and enlisted man to whom public property has been or may hereafter be issued shall be financially and personally responsible to the State or to the United States, as their interest may appear, for its good condition, safe-keeping and return when called upon by the competent authority.

Liability for property lost or destroyed.

5. Liability for lost or destroyed property. In case of the loss, damage or destruction of such property, the person to whom the same has been issued shall not be relieved from responsibility except it be shown to the satisfaction of the Governor or the Secretary of War as the case may be, that the loss, damage or destruction was unavoidable and not the fault of the person responsible for the property.

Value chargeable to person at fault.

6. Value of lost or destroyed property chargeable to person at fault. Except as provided in section five of this article the value of the property lost, damaged or destroyed shall be charged against the person at fault. Such person shall pay upon demand the value of such property to the Quartermaster-General or to the property and disbursing officer as may be determined by the evidence furnished. The money thus secured shall be used in replacing the lost, damaged or destroyed property.

Survey to determine value.

7. Determination of value of lost or destroyed property and person chargeable therewith. The value of the lost, damaged or destroyed property, and the person to be charged with the value thereof, shall be determined by a surveying officer appointed by the Governor, who shall file a report of his findings and recommendations with the Governor, through proper channel, for administrative action.

Recovery of moneys due.

8. Recovery of moneys due for lost or destroyed property. If any person at fault, or his surety shall fail, to pay the full value of the lost, damaged or destroyed property, the Quartermaster-General may deduct the amount due from any pay or allowances due or to become due to such person or shall proceed to recover the same by the methods pre-

scribed by law for the recovery of moneys due the State in a civil court.

Returning property withheld.

9. Application to court for return of military property. When the Quartermaster-General or any military or naval officer of the State charged with the care and responsibility of public property shall by petition, verified by his oath or affirmation, represent to any court of common pleas that the person named in the petition, resident in the county, detains any arm, article of clothing or equipment, or any military or naval stores of supplies, being the property of the United States or of this State, describing the same generally, after demand made for the same by the petitioner or some one duly authorized by him, upon filing the petition, the court may make an order requiring the person complained against to deliver up such property to the petitioner by such day as the court shall fix or show cause on that day before such court why the same should not be delivered up. A copy of the order certified by the clerk of the court shall be served on the delinquent personally, or at least two days before the day set for the hearing, or left at his residence or usual place of abode with a person of full age at least four days before the day set for the hearing.

Serving order of court.

Attachment for contempt.

10. Attachment for contempt for nondelivery of property. If the person complained against in accordance with section nine of this article shall not deliver up such property as described in such petition on or before the day set for the hearing or show good cause to the contrary, on due proof of service of a copy of such order, such court may issue forthwith an attachment for contempt against such person. Such person shall be held as in contempt and dealt with accordingly until he shall comply with the order of the court or deliver up such property to the petitioner or to the sheriff of the county for him and pay the reasonable costs of such proceedings to be taxed.

Person held.

Defendant may demand trial by jury.

11. Right to jury trial. If the person so complained against shall at any time before the day of

hearing demand a jury trial, the court shall issue a venire facias to the sheriff of the county to summon a jury of twelve men according to law to be and appear at such time as may be expressed in such writ to make a jury for the trial of the complaint. If the verdict of the jury be against the party complained of, he shall be proceeded against as set forth in section ten of this article.

Seizure of military property.

12. Seizure of military or naval property. The Quartermaster-General or the commanding officer of any company, troop, battalion, squadron, regiment or other separate organization may seize and hold any uniforms, arms, equipment or other military or naval property of the United States or of this State.

Issue of search warrant.

13. Issuance of warrant. The judge of any criminal court, recorder, or justice of the peace, on complaint or oath made to him by the Quartermaster-General or any such commanding officer, that any such military or naval property is unlawfully withheld from him by any person within the jurisdiction of such court, and that the same is believed to be in a particular place specified in the complaint, shall issue to any sheriff, police officer, member of the State police or constable, a warrant in the nature of a search warrant.

Execution of warrant.

14. Execution of warrant; delivery of property. The officer to whom such warrant is directed shall have the same power in executing the warrant that he would have in executing a search warrant. On finding such property, the judge, recorder or justice issuing such warrant, shall order the property to be delivered to the officer making the complaint.

Delivery of property.

Article XV

Compensation for injuries

Medical care and compensation for injury or sickness.

1. Medical service and compensation for injuries. Any member of the National Guard, Naval Militia or New Jersey Guard, who, while at drill or in the performance of any duty ordered by competent authority, shall receive any injury or incur

or contract any disability or disease by reason of such duty or exposure incident thereto, not due to any voluntary act or traceable to willful neglect, fault or his own vicious habits, shall receive from the State, payable from appropriation for the maintenance of the National Guard and Naval Militia, medical service and compensation therefor in accordance with section II, chapter ninety-five, laws of one thousand nine hundred and eleven, as amended and supplemented.

Disability confined to occupational disease.

2. Method of determining compensation. Compensation for illness or disease contracted while on duty or as the result of exposure incident thereto, shall not be restricted to disabilities covered by the occupational diseases enumerated in paragraph twenty-two b, section II, chapter ninety-five, laws of one thousand nine hundred and eleven, as amended and supplemented, but shall be payable for any illness or disease for which the service can be held responsible. In determining the weekly compensation rate, the earnings in his civil vocation, of the person injured or disabled shall be the basis of the calculation, but the basis shall not be less than the pay such person was earning in the active military or naval service of the State.

Rate of compensation.

Examination of claimant.

3. Claimant subject to examination; refusal bars claim. If a claim is made under this article, the Adjutant-General may cause examination of the claimant to be made from time to time by a medical officer or officers designated for that purpose. The Adjutant-General may direct the removal of the claimant to a hospital for treatment on recommendation of the medical officer. If the claimant refuses to permit such examination or to go to such hospital, or to follow the advice given or treatment prescribed for him therein, he shall be barred from all right to any claim or allowance under this article.

Refusal to bar claim.

In case of permanent disability.

4. Compensation determined for permanent disability. If any member of the National Guard, Naval Militia or New Jersey guard, shall be injured or disabled at drill or in line of ordered duty

in the active service of the State, and such injury or disability shall be of a permanent nature the person so injured or disabled shall receive the same compensation as is provided in chapter ninety-five, laws of one thousand nine hundred and eleven, as amended and supplemented, for injuries of a similar nature. The earnings of the injured person in his civil vocation shall be the basis for such compensation, but the basis shall not be less than the pay such person was earning in the active military or naval service of the State.

Basis of compensation.

5. Compensation determined for dependent of deceased soldier. If any member of the National Guard, Naval Militia or New Jersey guard shall receive injuries at drill or in line of ordered duty in the active service of the State resulting in death, the dependent members of the family of the deceased, if there be such, shall receive the same compensation as is provided in chapter ninety-five, laws of one thousand nine hundred and eleven, as amended and supplemented. The earnings of the deceased in his civil vocation shall be the basis for such compensation but the basis shall not be less than the pay the deceased was earning in the active military or naval service of the State.

In case of death on duty.

6. Board to determine validity of claim. The Adjutant-General may appoint a board of officers, at least one of whom shall be a medical officer, to inquire into the merits of any claim for compensation arising under this article, and to recommend the amount to be allowed.

Merits of claim.

7. Powers of board. A board appointed in accordance with section six of this article shall have the same power to take evidence, administer oaths, issue subpœnas, compel witnesses to attend and testify and produce books and papers, and to punish their failure to do so, as is possessed by presidents of courts-martial.

Witnesses, oaths, subpœnas.

8. Report of board; approval by Adjutant-General. Upon completion of such an examination, the board shall submit to the Adjutant-General a report of its findings together with a copy of the evi-

Report and approval by adjutant-general.

dence upon which the same is based. Such report and findings shall be subject to the approval of the Adjutant-General. He may approve, disapprove or return the proceedings to the board for revision and for the taking of further testimony.

Paying claims. 9. Payment of claims. The amount found by the Adjutant-General to be due such member or his dependent family shall thereupon be paid by the State in like manner as other military accounts are paid.

Allowance of claim. 10. Limitation on time to present claims; claims may be reopened. A claim shall not be allowed unless it is presented to the Adjutant-General within one year from the date of death or within one year from the date of receiving the injury or incurring or contracting the disease or disability on which

Reopening claim. the claim is based. A claim which has been adjusted may be reopened and modified at any time on the ground that the incapacity of the injured has subsequently increased or diminished.

Rehearing. 11. Appeals and rehearing. Upon application of any claimant made within six months after service of notice upon him or his attorney of the disapproval or disallowance of his claim or any part thereof, the Adjutant-General may reopen such claim and order a rehearing before another board. Such board shall make its report to the Adjutant-General in the same manner as the original board and may use the testimony taken before the original board or take additional testimony. Such report and findings shall be final when approved by

Findings final. the Governor. No other appeal or rehearing shall be held in the matter, except as provided in section ten of this article.

ARTICLE XVI

PROHIBITIONS AND PENALTIES

Right-of-way no interference. 1. Right-of-way while performing military or naval duty; interference, misdemeanor. The commanding officer of any organization of the active militia while parading or performing any military

or naval duty in any street or highway may require all persons on such street or highway to yield the right-of-way to such troops, except that the carriage of the United States mail, the legitimate functions of the police, and the progress and operation of hospital ambulances, fire engines, and apparatus shall not be interfered with thereby. Any person other than those above excepted, who shall hinder, delay, obstruct or interfere with any portion of the military or naval forces when parading or performing any military or naval duty, or who shall attempt to do so, shall be guilty of a misdemeanor.

Certain exceptions.

Violation a misdemeanor.

2. Unlawful sale or detention of military or naval property; misdemeanor. Any person who shall secrete, sell, dispose of, offer for sale, purchase, retain after demand made by a commissioned officer or in any manner pledge or pawn any arms, equipment or other military or naval property issued by the United States or this State for use of the militia, shall be guilty of a misdemeanor.

Sale or retention of property a misdemeanor.

3. Discrimination against uniform; misdemeanor. Any person who shall exclude a person lawfully wearing the uniform of the National Guard, Naval Militia, or New Jersey guard from the equal enjoyment of any accommodation, facility or privilege furnished by innkeepers or common carriers or by owners, managers, or lessees of theatres or other places of amusement or resort, because of that uniform, shall be guilty of a misdemeanor.

No discrimination against uniform.

4. Depriving members of National Guard and Naval Militia of employment; misdemeanor. Any person who, either by himself or with another, willfully deprives a member of the National Guard, the Naval Militia or the New Jersey guard of his employment or prevents his being employed by himself or another, or obstructs or annoys such member in his employ in respect to his trade, business or employment because he is a member of the National Guard, the Naval Militia or the New Jersey guard or is performing or about to perform some duty in connection therewith or dissuades any person from enlistment therein by threat or

Acting adversely against guardsmen a misdemeanor.

injury to him in respect to his business, employment or trade, in case he shall enlist, shall be guilty of a misdemeanor.

Unlawful use of uniform.

5. Unlawful wearing of uniform; misdemeanor. Any person who shall wear the uniform or designation of grade similar to those issued or authorized for use by the National Guard, Naval Militia or New Jersey guard, and who is not a member of the National Guard, Naval Militia or New Jersey guard, except such members of organizations specially authorized so to do by the Federal statutes, shall be guilty of a misdemeanor.

Trespass or injuring property.

6. Trespass upon or destruction or damage of militia property; misdemeanor. Any person who willfully trespasses upon any camp or parade ground, rifle range, armory or property lawfully used by or in connection with the militia, or any part thereof, or injures any property situated thereon, or willfully violates thereon any regulations established to maintain order, preserve property or prevent accidents upon such property, or removes, multilates or destroys any such property shall be guilty of a misdemeanor.

Arrest of trespassers.

7. Trespassers and disturbers may be placed in arrest. The commanding officer upon any occasion of duty may place in arrest during the continuance thereof, any person who shall trespass upon a camp or parade ground, armory, arsenal, rifle range or any other place devoted to or used for military purposes or shall in any manner interrupt or molest or disturb the orderly discharge of duty by those under arms, or shall disturb or prevent the passage of troops going to or returning from any duty.

Disturbing discharge of duty.

Assaulting its guardsman a misdemeanor.

8. Assault on troops; misdemeanor. Any person who assaults, fires at, or throws any missile at, against, or upon any uniformed member or body of the militia or other person lawfully aiding such member or body, when assembling or assembled for the purpose of performing any military or naval duty, shall be guilty of a misdemeanor.

Failure to answer call, etc., a misdemeanor.

9. Failure to respond to draft; order or call; interference therewith; misdemeanor. Any person who willfully interferes with the execution of any draft or order or call for troops made by the President of the United States, and any person drafted, ordered or called, who does not appear at the time and place designated within twenty-four hours of such time, or who does not produce a sworn certificate from a physician of physical disability shall be deemed guilty of a misdemeanor.

Gambling, auctioning, peddling, prohibited.

10. Gambling, huckster and auction sales prohibited; abatement. The commanding officer may prohibit and prevent all gambling, the holding of huckster or auction sales and the peddling of all kinds of merchandise within the limits of the post, camp ground, place of encampment, parade or drill under his command. He may, in his discretion, abate, as a common nuisance, all such gambling, sales or peddling.

Nuisance abated.

Penalty.

11. Misdemeanor; punishment. Any person found guilty of a misedmeanor as provided for in this article shall upon conviction be sentenced to a fine of not more than five hundred dollars ($500.00), or to confinement for not more than one year, or both.

Article XVII

GENERAL PROVISIONS

General rules and regulations.

1. Rules and regulations. The laws of Congress of the United States, the articles of war, regulations, forms, precedents and usages relating to and governing the army and navy respectively of the United States and the National Guard and Naval Militia shall, in so far as the same are applicable and not inconsistent with the Constitution of this State, apply to and govern the active military and naval forces of this State.

Recognition of service.

2. Faithful service medals. The Governor may issue to officers and enlisted men who have served faithfully in the organized militia, after ten years of active service, an appropriate medal, and for

each and every five years of subsequent faithful, active service, a suitable numeral therefor. Any person who shall consider that he is entitled to receive a faithful service medal or numeral, shall submit to the Adjutant-General an application therefor. If it shall appear to the Adjutant-General that the applicant is entitled to the medal or numeral, he shall direct the Quartermaster-General to issue such medal or numeral.

Marksmanship medal.

3. Marksmanship medals. To encourage individual proficiency in the use of weapons, the Governor may authorize the award of medals or badges to officers and enlisted men who shall excel in marksmanship.

Rifle and pistol competition.

4. State teams. The Governor may authorize the organization of rifle and pistol teams for members of the organized militia, which teams may compete in rifle or pistol matches, either within or without the State. He may authorize pay, transportation, subsistence and ammunition for the members of such teams.

Who may administer oaths.

5. Persons who may administer oaths. The following persons may administer oaths for the purposes of the administration of military or naval justice and for other purposes of military or naval administration:

Any judge advocate or acting judge advocate;

The president of a general or special court-martial;

Any summary court officer;

The trial judge advocate or any assistant trial judge advocate of a general or special court-martial;

The president or the recorder of a court of inquiry or of a military or naval board;

Any officer designated to take a deposition;

Any officer detailed to conduct an investigation;

The adjutant of any command; and

Any civil official authorized by the laws of this State to administer oaths.

Oath of enlistment.

6. Officers may administer oath of enlistment. Any officer duly commissioned in the National

Guard, Naval Militia or New Jersey guard may administer the oath of enlistment to enlisted men.

Certain commissions not to void civil offices.

7. Acceptance of commission not to vacate civil office. Any citizen of this State may accept and hold a commission in the militia of this State, the National Guard of the United States or any reserve component of the United States army, navy or marine corps, without thereby vacating any civil office, position or commission held by him. The acceptance or holding of any such commission shall not constitute such holding of an office of trust and profit under the government of this State or of the United States as shall be incompatible with the holding of any civil office, position or commission under the government of this State.

Post exchanges, amusement.

8. Regulations for establishing post exchanges. The commanding officer of any division, brigade, regiment, separate battalion or other separate command, or of any fort, post, camp or other place may establish and maintain, under such rules and regulations as the State Military Board shall prescribe, post exchanges and places of amusement, entertainment and recreation for the use of troops occupying armories, camp grounds, rifle ranges or other places under his jurisdiction.

Credit for active service.

9. Credit for war service. For all purposes, officers and enlisted men who entered the active service of the United States in time of war by appointment or enlistment, or under call, order or draft by the President, or who shall hereafter enter such service under like conditions, shall be entitled to credit for the time served in the active service of the United States, as if such service had been rendered in the State.

"Regulations" defined.

10. Regulations. Wherever in this act the word "regulations" is used, it shall mean the regulations issued by the Governor under the provisions of this act or the regulations issued by competent Federal authorities, or both, as the case may be.

Constitutionality.

11. Constitutionality. The provisions of this act shall be severable, and if any of the provisions shall be held to be unconstitutional, the decision of

the court respecting such provision or provisions shall not affect the validity of any other provision which can give effect without such invalid provision or provisions.

Repealer. 12. Repealer. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

ARTICLE XVIII

Act effective. 1. Effective date. This act shall take effect immediately.

Approved May 5, 1937.

CHAPTER 50

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

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

County observance of Memorial Day. 1. It shall be lawful for the board of chosen freeholders of any county, and they are hereby authorized and empowered so to do, to make appropriations for the proper observance of Memorial Day.

2. This act shall take effect immediately.

Approved May 18, 1937.

CHAPTER 51

AN ACT concerning fireworks, regulating the sale, exposure for sale, use, distribution, or possession thereof, and providing penalties for violations of the provisions of this act.

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

Sale or use of fireworks deemed unadvisable.

1. The sale, exposure for sale, use, distribution or possession of fireworks or pyrotechnics in the State of New Jersey, except as hereinafter provided, is hereby declared by the Legislature to be against the public health, safety and welfare of the people of the State of New Jersey.

Sale, use, of pyrotechnics of various forms and compositions unlawful.

2. From and after the passage of this act it shall be unlawful for any person, firm, partnership or corporation to offer for sale, expose for sale, sell, possess or use, or explode any blank cartridge, toy pistol, toy cannon, toy cane or toy gun in which explosives are used; the type of balloon which requires fire underneath to propel the same; firecrackers; torpedoes; skyrockets, Roman candles, bombs, sparklers or other fireworks of like construction, or any fireworks containing any explosive or inflammable compound or any tablets or other device commonly used and sold as fireworks containing nitrates, chlorates, oxalates, sulphides of lead, barium, antimony, arsenic, mercury, nitroglycerine, phosphorus or any compound containing any of the same or other explosives, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, other than aviation and railroad signal light flares, except as in this act provided.

Display of fireworks permissible.

3. The governing body of any municipality, other than a county, notwithstanding any of the provisions of this act to the contrary, may, upon applica-

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tion in writing, upon the posting of a suitable bond, grant a permit for the public display of fireworks by municipalities, religious, fraternal or civic organizations, fair associations, amusement parks, or other organizations or groups of individuals, approved by the governing body of such municipality to whom the application is made, and the governing body is authorized by resolution, to grant such permission when such display is to be handled by a competent operator, to be approved by the chiefs of the police and fire departments of the municipality. Such display shall be of such a character, and so located, discharged, or fired, as in the opinion of the chiefs of the police and fire departments, after proper inspection, shall not be hazardous to property or endanger any person or persons. After such permit shall have been granted, sales, possession, use and distribution of fireworks for such display shall be lawful for that purpose only.

Guarding against hazardous display.

Details of permit.

4. All such applications for permits shall set forth the date, the hour, place of making such display, and place of storing fireworks prior to the display and, further, the name or names of the person, persons, firm, partnership, corporation, association or group of individuals making the display; the name of the person, or persons, in charge of the igniting, firing, setting-off, exploding or causing to be exploded such fireworks. The location of the storage place shall be subject to the approval of the chief of the fire department of the municipality. No permit granted hereunder shall be transferable.

Approval by fire department.

Bond by licensee.

5. The governing body of the municipality shall require a bond deemed adequate by the municipality from the licensee in a sum not less than twenty-five hundred dollars ($2,500.00) conditioned for the payment of all damages, which may be caused either to a person or persons or to property, by reason of the display so as aforesaid licensed, and arising from any acts of the licensee, his agents, employees or subcontractors. Such bond shall run

Beneficiaries of bond.

to the municipality in which the license in granted, and shall be for the use and benefit of any person, persons, or the owner or owners of any property so damaged, who is or are authorized to maintain an action thereon, or his or their heirs, executors, administrators, successors or assigns.

Exceptions.

6. Nothing in this act contained shall be construed to interfere with the provisions of an act entitled "An act to regulate the manufacture, storage, transportation and sale of fireworks and providing penalties for all violations of this act," approved March twenty-five, one thousand nine hundred and thirty, and the acts amendatory thereof and supplemental thereto, where the provisions thereof are not inconsistent with the provisions of this act, nor shall anything in this act contained be construed to prohibit any manufacturer, wholesaler, dealer or jobber from selling at wholesale such fireworks to municipalities, religious, fraternal or civic organizations, fair associations, amusement parks, or other organizations or groups of individuals authorized to possess and use fireworks under this act; or the sale of any kind of fireworks, provided the same are to be shipped directly out of the State; or the sale or use of blank cartridges for a show or theater, or for signal purposes in athletic sports, or by railroads for signal purposes, or for the use by the militia, or construed to prohibit the manufacture and sale of aviation and railroad light flares. Any provision of any act in this State inconsistent with any provision of this act is hereby repealed.

Penalty.

7. Any person, firm, partnership, or corporation violating any of the provisions of this act shall be subject to a penalty: For selling, offering or exposing for sale, or having in possession with intent to sell any fireworks as herein mentioned, the sum of one hundred dollars ($100.00) for each offense, or by imprisonment in the county jail for a period of ninety days, or by both such fine and imprisonment in the discretion of the court having jurisdiction and for using, discharging or causing

to be discharged, ignited, fired, or otherwise set in action, or having in possession any fireworks, a sum not exceeding one hundred dollars ($100.00) for each offense.

Enforcement.

8. The municipalities of this State are hereby charged with the enforcement of all of the provisions of this act.

9. This act shall take effect immediately.

Approved May 20, 1937.

CHAPTER 52

AN ACT appropriating funds to the Department of Conservation and Development for the development, maintenance and operation of Ringwood Manor State Park, situate in Passaic county, New Jersey.

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

Appropriation for Ringwood Manor Park, 1936-1937.

1. There is hereby appropriated seven thousand seven hundred and twenty-five dollars ($7,725.00) to the Department of Conservation and Development for the maintenance and operation of Ringwood Manor State Park, situate in Passaic county, New Jersey, for use during the fiscal year one thousand nine hundred and thirty-six—one thousand nine hundred and thirty-seven.

Appropriation, 1937-1938.

2. There is hereby appropriated twenty-five thousand five hundred dollars ($25,500.00) to the Department of Conservation and Development for the development, maintenance and operation of Ringwood Manor State Park, situate in Passaic county, New Jersey, for use during the fiscal year beginning July first, one thousand nine hundred and thirty-seven.

3. This act shall take effect immediately.

Approved May 24, 1937.

CHAPTER 53

A FURTHER SUPPLEMENT to an act entitled "An act respecting prosecutors of the pleas of the State," approved April sixteenth, one thousand eight hundred and forty-six.

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

Prosecutor of fourth class counties an attorney at law.

1. In all counties of the fourth class in this State, as determined by the preceding Federal census, it shall be lawful for any fit person, who is an attorney at law of this State, to be duly appointed prosecutor of the pleas for any such county, to exercise and perform all the duties and to be entitled to the same fees for services, and subject to the same penalties as specified in the act to which this act is a further supplement.

2. This act shall take effect immediately.

Approved May 24, 1937.

CHAPTER 54

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

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

Summer welfare camp.

1. The board of chosen freeholders, in counties of the second class, shall have the power, whenever in its judgment the public need requires it, to use land now in its possession, to acquire land, by purchase, condemnation, gift, or otherwise, anywhere in said county, and to erect thereon suitable structures and buildings, and to furnish, operate and

maintain the same, for the purpose of advancing public recreation and the public health and welfare, including the operation of a summer camp for under-nourished and/or under-privileged children of its county, and/or children of its county, whose health may be benefited by it.

Objects.

Operation.

2. The board of chosen freeholders in counties of the second class shall have the power, whenever in its judgment the public need requires it, to conduct and operate a summer camp for under-nourished and/or under-privileged children of its county, and/or children of its county whose health may be benefited by it, and to establish rules and regulations for admission to the same.

3. This act shall take effect immediately.

Approved May 24, 1937.

CHAPTER 55

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

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

Reorganization of building and loan associations.

1. Any building and loan association heretofore or hereafter organized or existing under any law of this State may reorganize in the manner in this act set forth.

How effected:

2. A reorganization of any such building and loan association effected in pursuance of the provisions of this act shall be made in the following manner:

Plan adopted; Copies submitted to commissioner; If commissioner satisfied with scheme;

The board of directors of such association may, at a meeting called for that purpose, adopt a plan of reorganization of such association. Two copies of such plan, signed and acknowledged or approved

as in the case of deeds to real property, shall be submitted to the Commissioner of Banking and Insurance. If it shall appear to the satisfaction of the Commissioner of Banking and Insurance, as a result of an examination or otherwise, that the share liability, creditor obligations, and liability for unpaid taxes of any such association exceeds the fair value of its assets; or if it shall appear to the said commissioner that the condition of such association is unsound by reason of its ownership of real property in an excessive amount in proportion to its other assets, or that the aggregate amount of defaulted mortgages held by such association is excessive; and if, in the opinion of the said commissioner the plan of reorganization so submitted to him will remedy the situation so found by him to affect such association, or that its adoption will further the interests and will be beneficial to the members and creditors of such association and to the community in which it is located, he shall endorse his approval thereon; one copy, so endorsed, shall be filed in the Department of Banking and Insurance, and the other shall be returned by the said commissioner to such association. After such approval, the proposed plan shall be submitted to the members of such association at an annual meeting, or at a special meeting called for the purpose of considering and voting upon such plan. At any such meeting, members may vote in person or by proxy. At least ten days' notice of such meeting shall be given members by mail. A copy of such notice shall at least ten days before such meeting, be published once in a newspaper published in the municipality in which such association has its principal office, and if there shall be no such newspaper, then in one published in the county wherein such principal office in located. If, at such meeting, or any adjournment thereof, a majority of the votes cast are in favor of such plan, a certificate thereof shall be made, signed by the president, or vice-president, and secretary or treasurer of such association, and acknowledged or proved

Approval.

Plan submitted to members.

Meeting.

Notice.

Action on approval.

Certificate filed.

as in the case of deeds to real property, and shall be filed in the office of the Department of Banking and Insurance, and thereafter the association may proceed to reorganize in accordance with the provisions of such plan.

Assent assumed.

All members of such association who shall not have dissented from such reorganization plan in the manner provided by this act, shall be conclusively deemed to have assented thereto.

Action in case of dissent.

Any member who shall dissent from the proposed plan, shall file a petition of dissent, in writing, in the Court of Chancery, in a cause to be entitled "In the matter of the reorganization of building and loan association," the blank to be supplied with the name of such association.

What petition to show.

Such petition shall set forth the grounds upon which such member dissents from such plan, and shall be filed in such court at least five days before the day appointed for the meeting of members called to consider and vote upon such plan. No such petition shall be filed unless it shall have endorsed thereon proof of service of a copy thereof upon such association.

Hearing.

Upon the filing of such petition, the court shall hear and dispose of the matter summarily, and, if satisfied that the plan is equitable and fair,

Order.

shall make an order approving the said plan, and

Effect of order.

dismissing such petition. Upon the making of such order, the proposed plan shall be binding upon such dissenting member in the manner as if such member had filed no dissent thereto.

If further proceedings.

In the event that such court shall find that the said plan is unfair or inequitable, it shall make an order disapproving such plan, and thereafter such association shall not proceed to reorganize in the manner set forth in the said plan, until the further order of such court, or until such order is modified or vacated.

Power to reorganize.

No order disapproving any such plan shall be construed as in anywise limiting the power of such association to reorganize in pursuance of the terms of a further or modified plan, in which event all the provisions of this act shall attach and be effective in the same manner as if any prior plan or plans had not been disapproved by such court.

Appeal.

All persons aggrieved

by any order of the Court of Chancery made pursuant to the provision of this act may appeal therefrom to the Court of Errors and Appeals. Any such appeal shall be made within twenty days from the filing of the order appealed from. For the purposes of this section, the term "persons aggrieved" shall include any member who shall file a petition of dissent, the association in reorganization, and the Commissioner of Banking and Insurance of New Jersey reorganizing an association pursuant to the provisions of section nine of this act.

Plan of reorganization:

3. Without limiting the generality of the methods by which an association may reorganize, any plan of reorganization may provide:

Name;

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

Date;

(b) For the date upon which such reorganization shall be effective. In the event such plan fails to fix such effective date, the effective date of reorganization shall be the date upon which the proposed plan is approved by the members of such association as in section two hereof set forth; *provided,* that, where a petition of dissent is filed as herein provided, and the Court of Chancery shall make an order approving such plan, the date of such order shall be deemed to be the effective date of reorganization, unless such court shall, in such order, fix a date upon which such plan shall be effective, in which event the date so fixed shall be the effective date of reorganization.

Proviso.

Crediting value to reduce principal;

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

Cancellation of withdrawal;

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

Transfer of assets;

(e) For the transfer of such assets, including real estate and defaulted bonds and mortgages, as may be determined by the board of directors with the approval of the Commissioner of Banking and Insurance, to a new association organized under

the provisions of this act, for the sole purpose of liquidating such assets in an orderly manner;

Participating reserve;

(f) For the transfer of such assets, including real estate and defaulted bonds and mortgages, as may be determined by the board of directors with the approval of the Commissioner of Banking and Insurance, to a "participating reserve" account to be set up upon the books of such association.

Charging off value;

(g) In the event that such association shall make a transfer of assets as contemplated by paragraphs (e) and (f) of this section, any part of the reserve accounts of such association as shall be set forth in such plan of reorganization may be charged off against the value of the assets so transferred;

Reducing share liability;

(h) For the reduction of the share liability of any such association to the members thereof to the extent sufficient to meet actual or anticipated losses and to create a reserve for such purposes;

Expenses.

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

Administration.

4. Such participating reserve account shall be administered by the board of directors of such association for the sole benefit of those members whose share liability has been reduced by reason of the creation of such participating reserve account. Such members shall receive certificates from such association evidencing their pro rata interest in the assets so transferred. The aggregate book value of such certificates shall equal the value of the assets transferred to such account, after reserves have been charged off as provided in section three, hereof. The assets so represented by the participating reserve account shall be identified on the books of the association as participating reserve assets and the aggregate book value of such assets as shown by the participating reserve shall be reported on any balance sheet of such association. As and when assets transferred to the participating reserve account are liquidated or yield a profit from operations, the proceeds therefrom shall be paid pro rata from time to time as the board of directors may determine, to the holders

Certificate showing interest.

Reserve assets.

Book value.

Pro rata payments.

of such certificates, either in cash or by credit upon shares held by such certificate holders in such association; *provided, however,* that if such association shall make any advances for the purpose of maintaining or preserving any of the assets transferred to the participating reserve account, the proceeds of such liquidation or profits from operation shall first be applied toward the repayment of such advances. Proviso.

5. Such new association created to receive such assets upon any reorganization as by this act provided shall be formed as follows: The board of directors of the association in reorganization shall file a certificate in the office of the Commissioner of Banking and Insurance which shall set forth: New association:

(a) The name of such new association, which may be the same as the reorganized association with the addition of the words "liquidating corporation", or such other name as the plan of reorganization shall provide; Names;

(b) The location of the principal office of such new association; Office;

(c) The purposes for which such association is formed, which shall be limited to the liquidation of the assets transferred to such association under the provisions of this act; Purposes;

(d) The name and address of the agent in charge of the principal office of such association, upon whom process may be served, who shall be the same agent as that designated by such reorganizing association; Agent;

(e) The names and addresses of the directors and officers of such new association. Names of officers and directors.

6. The certificate so filed shall be proved or acknowledged by the association in reorganization in the same manner as provided for deeds of real property. It shall be presented to the Commissioner of Banking and Insurance for filing in his office simultaneously with the certificate required to be filed under the provisions of section (2) hereof. For the filing of such certificate of incorporation, there shall be paid to the Commissioner Certificate proved. Filed. Filing fee.

of Banking and Insurance the sum of thirty-five dollars ($35.00). Upon the filing of such certificate, the said association shall be constituted a body corporate, subject to all the provisions of the act to which this act is a supplement, insofar as the same are not inconsistent with the provisions of this act. The business and affairs of such association shall be managed and directed by a board of directors constituted as hereinafter set forth.

Body corporate.

Management.

Payment to former association.

7. The said new association shall pay the reorganizing association for the assets acquired, the aggregate book value of such assets as shown on the books of such association, after reserves have been charged off as provided in section three of this act, by issuing pro rata and delivering to members of such reorganizing association certificates of interest in such new association, the aggregate amount of which shall equal the value of the assets so transferred as in this section determined. Distribution of the proceeds of the operation of such new association shall be made in the same manner as provided in section four of this act. Unless the Commissioner of Banking and Insurance shall otherwise approve, directors of the said reorganized association shall automatically become the directors of such new association. The said directors shall elect a president, a vice-president, a secretary, and a treasurer for such new association, and such other officers as they shall deem necessary, all of whom shall be members of such reorganized association, and all or any of whom may be officers of such reorganized association. Certificates of participating interest issued by any association pursuant to this act may be transferred or negotiated apart from the certificates of such reorganized association in connection with which they shall have been issued.

Certificates issued members.

Distribution of proceeds.

Directors.

Officers.

Certificates transferable.

Assets answerable for payment.

8. Only those assets transferred by such association in pursuance of the provisions of paragraphs (e) and (f) of section three of this act shall be answerable for the payment of the certificates issued to evidence interest therein. Should the

aggregate amount realized upon ultimate liquidation of such assets be insufficient to satisfy in full the certificates of interest issued against them, the deficiency shall be borne pro rata by the holders of such certificates, who shall have no right of recourse to recover the amount of such deficiency from the association issuing such certificates. Provision for deficiency.

9. The provisions of this act shall also apply to associations of which the Commissioner of Banking and Insurance has taken or in the future will take possession, under the provisions of the act to which this act is a supplement. In such case, the commissioner, in his discretion, shall have the sole right to initiate the plan for reorganization, and shall give the notice to members, and shall conduct the meeting of members required by the provisions of section two hereof. The provisions of this act shall, further, apply to any association upon which the Commissioner of Banking and Insurance has served notice he will take possession under section fifty-nine of the act to which this act is a supplement. Application of act. Right of commissioner. Further application of act.

10. No action by any such association looking toward its reorganization under the provisions of this act, no order made by the Court of Chancery in a proceeding incidental thereto as herein provided, and no act of commission or omission by the Commissioner of Banking and Insurance, pursuant hereto, shall in anywise be construed as a demand upon and a failure or refusal by the said Commissioner to take possession of such association within the meaning of section fifty-nine (b) of the act to which this act is a supplement. Taking possession of association.

11. Any association of this State shall have power, as one transaction, not in the regular and usual course of its business, to transfer, sell, or exchange all or part of its assets, including its name and good will, to any other association, and may accept in return therefor, cash, shares, share accounts, and accounts of the purchasing association upon such terms as may be agreed upon by the affirmative vote of at least a majority of the direc- Disposing of name, assets, etc.

tors of such association and by the affirmative vote of a majority of the votes cast by members present at any annual meeting or special meeting called for such purpose; but no such bulk transfer, sale, or exchange of property shall be effective unless approved by the Commissioner of Banking and Insurance. The consideration received upon any such disposition of bulk property shall be distributed to members pro rata after the discharge of all liabilities of such association. In the event of the disposition of all or substantially all of the property of an association pursuant to this section, such association shall thereupon proceed to dissolve and liquidate in the manner provided by the act to which this act is a supplement; *provided, however,* that the vote of the directors and members taken in pursuance of this section shall be deemed to be a vote for such dissolution, and no further vote thereon shall be required. Any such association may, with the approval of the Commissioner of Banking and Insurance, make a bulk sale of its assets in lieu of merging or consolidating with one or more other associations or in lieu of reorganizing under the provisions of this act.

Transfer must be approved.

Distribution of consideration.

Dissolution.

Proviso.

Bulk sale instead of merging, etc.

Powers and obligations.

12. Any association incorporated under the provisions of section five of this act, its officers and directors, shall have all the privileges, powers and immunities, granted to, and shall be subject to all the duties and obligations imposed upon associations by the provisions of the act to which this act is a supplement, except as herein otherwise expressly provided.

Reorganization and merger at same time.

13. A reorganization pursuant to the provisions of this act may take place simultaneously with the merger or consolidation of two or more associations under the provisions of the act to which this act is a supplement.

Instituting court action.

14. No action shall be instituted in any court to question any reorganization under the provisions of this act unless such action is instituted within three months from the effective date of such reorganization as determined by section three of this act.

15. Should any one or more sections, subsections, or provisions of this act be adjudged unconstitutional, such judgment shall not affect or impair the remaining provisions hereof. Validity of act.

16. This act shall take effect immediately.

Approved May 27, 1937.

CHAPTER 56

AN ACT to amend the title and body of an act entitled "An act to regulate and control the purchase, distribution and sale of milk and cream and to declare an emergency, and for this purpose to create a State Board of Milk Control, and providing penalties for violations, and establishing license fees to be paid by such dealers, processors and subdealers," approved the twenty-ninth day of April, one thousand nine hundred and thirty-five.

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

1. The title of the act of which this act is amendatory be and the same hereby is amended to read as follows: Title amended.

An act to regulate and control the production, purchase, distribution, and sale of milk and cream and to declare an emergency, and for this purpose to create a State Board of Milk Control, and providing penalties for violations, and establishing license fees to be paid by such stores, milk dealers, processors and subdealers. New title.

2. Section one hundred twelve of the act of which this act is amendatory be and the same hereby is amended to read as follows: Section 112 amended.

112. "Store." A grocery store, delicatessen, hospital, institution, hotel, restaurant, soda foun- Store defined.

tain, dairy product store, any governmental agency, roadside stand and similar mercantile establishments.

Section 506 amended.

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

License fees.

506. Every person required by this act to be licensed shall pay a license fee as follows: Each and every store selling milk and/or cream shall pay

Proviso.

a license fee of one dollar ($1.00); *provided, however,* that a store selling milk and/or cream exclusively for consumption on the premises shall not be required to obtain a license or pay a license fee;

Proviso.

and provided, further, that a store selling only milk and/or cream, which is evaporated or condensed in hermetically sealed cans shall not be required to obtain a license or pay a license fee; a milk dealer or processor selling in the State of New Jersey during the twelve calendar months immediately preceding the period for which the license is issued a monthly average quantity of milk up to and including twenty-five hundred pounds shall pay a license fee of two dollars ($2.00); a milk dealer or processor selling a monthly average quantity of milk of more than twenty-five hundred pounds and not to exceed five thousand pounds shall pay a license fee of seven dollars and a half ($7.50); a milk dealer or processor selling a monthly average quantity of milk of more than five thousand pounds and not to exceed twenty-five thousand pounds shall pay a license fee of twenty dollars ($20.00); a milk dealer or processor selling a monthly average quantity of milk of more than twenty-five thousand pounds and not to exceed one hundred thousand pounds shall pay a license fee of seventy dollars ($70.00); a milk dealer or processor selling a monthly average quantity of milk of more than one hundred thousand pounds and not to exceed two hundred thousand pounds shall pay a license fee of one hundred and twenty-five dollars ($125.00); a milk dealer or processor selling a monthly average quantity of milk of more than two hundred

thousand pounds and not to exceed five hundred thousand pounds shall pay a license fee of two hundred dollars ($200.00); a milk dealer or processor selling a monthly average quantity of milk of more than five hundred thousand pounds and not to exceed one million pounds shall pay a license fee of three hundred dollars ($300.00); a milk dealer or processor selling a monthly average quantity of milk of more than one million pounds but not more than two million pounds shall pay a license fee of five hundred dollars ($500.00); a milk dealer or processor selling a monthly average quantity of milk of more than two million pounds but not to exceed five million pounds shall pay a license fee of seven hundred dollars ($700.00); and a milk dealer or processor selling a monthly average quantity of milk of more than five million pounds shall pay a license fee of eight hundred dollars ($800.00); *provided, however,* that a subdealer purchasing milk from another dealer or processor who has paid a license fee determined upon the schedule hereinbefore set forth shall not be subject to the foregoing schedule on such milk but shall be required to pay a license fee of ten dollars ($10.00); *and provided, further,* that a processor who sells milk exclusively to subdealers shall not be required to pay a license fee in excess of two hundred and fifty dollars ($250.00); *and provided, further,* that a milk dealer engaged in handling milk in the State of New Jersey but selling milk only in another State and/or engaged only in manufacturing shall not be subject to the foregoing schedule, but shall pay a license fee of twenty-five dollars ($25.00).

Proviso.

Proviso.

Proviso.

It is the intent where the amount of license fee is to be determined by the quantity of milk that the whole milk equivalent of milk in each of its forms as included in the definitions in section one hundred and eight shall be used.

Intent.

It is not the intent that milk utilized for manufacturing purposes or sold to be utilized for manufacturing purposes shall be included in the determination of the license fee hereinbefore set forth.

Construing.

Sales by a milk dealer of milk purchased within or without the State of New Jersey and sold in another State shall not be included in the determination of the license fee. A dealer or processor purchasing milk from a New Jersey dealer or processor shall not be required to pay a license fee on such purchases if a license fee has been paid thereon to the Milk Control Board of this State.

Deposit on application.

Any person applying for a license to engage in the business of a milk dealer or processor, who has not been engaged in such business prior to the effective date of this act, upon filing application with the board to engage in such business shall, in the case of applying for a license as a milk dealer or processor, deposit with the board one hundred dollars ($100.00) in cash. This deposit shall be retained by the board until such time as the board is able to determine from the monthly reports of such applicant for license the proper fee to be charged such applicant in accordance with the schedules hereinbefore set forth, at which time any part of such deposit in excess of the license fee so determined shall be returned to the applicant.

Ascertaining amount chargeable.

Fee to accompany application.

The license fee shall accompany the application for a license; said application shall not be received nor acted upon if it is not accompanied by the proper fee.

Section 507 amended.

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

Form of application.

507. The application for license shall be made on a form prepared by the board. The State Board of Milk Control may require an applicant for a license to show that he has secured all other State licenses and such other permits or licenses as may be necessary for said applicant to carry on the milk business in his territory, and upon his failure to do so, refuse to issue to said applicant a license.

Other licenses shown.

Section 704 amended.

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

704. Any person who shall violate any of the provisions of this act and/or the orders, rules and regulations of the board as adopted from time to time shall be deemed guilty of a violation of the provisions of this act and shall pay a penalty of not more than fifty dollars ($50.00) for the first offense and not more than two hundred dollars ($200.00) for the second, or each subsequent offense, and such penalty when collected shall be paid to the treasurer of the State of New Jersey and become a part of the general fund of the State of New Jersey. Any milk or cream or milk products which are the subject of the violation of this act or the orders, rules and regulations of the board, may be seized, and any part thereof may be sold as the board or court may direct; the proceeds from such sale to be paid to the treasurer of the State of New Jersey to abide the further order of the board or court, and if no such order is made, then to become a part of the general fund of the State of New Jersey.

Violations.

Penalty.

Seizure of milk.

Proceeds of sale.

6. Section seven hundred eleven of the act of which this act is amendatory be and the same hereby is amended to read as follows:

Section 711 amended.

711. All funds derived from fees for licenses issued hereunder and the proceeds of adjustments of penalties collected by the board and the proceeds of fines and costs imposed by any court hereunder shall be paid to the State Treasurer. All sums collected as fees for licenses for the fiscal years commencing July first, one thousand nine hundred and thirty-seven, are hereby appropriated and shall be paid by the State Treasurer to the board for the maintenance of the board and the payment of the expenses of its operations during the fiscal years commencing July first, one thousand nine hundred and thirty-seven.

Fees, etc., paid State Treasurer.

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

Section 902 amended.

902. Duration. This act shall expire on the thirtieth day of June, one thousand nine hundred and thirty-nine, and all books, papers and records

Act inoperative.

of the New Jersey Milk Control Board hereby created shall be thereafter disposed of as the Board of Agriculture may prescribe.

8. This act shall take effect immediately.

Approved May 27, 1937.

CHAPTER 57

AN ACT to amend an act entitled "An act concerning trust companies" (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine.

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

Section 14 amended.

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

Examining committee of trust companies.

14. The board of directors of each trust company shall from time to time appoint from its members an examining committee, whose duties shall be to examine the condition of the company at least once every twelve months, or oftener if required, by the board; and such committee shall, after each examination, forthwith report to the board, giving in detail all items included in the assets of the trust company which they have reason to believe are not of the value at which they appear on the books and records of the company, and giving the value in their judgment of each of such items; and the board shall cause said report to be recorded in the minute books of the company; the examining committee, by authority of the board of directors, may employ certified accountants to assist them in making such examination, and may use the results of the work of such certified accountants in the preparation of the report of the committee to be made to the board;

Report.

Certified accountants employed.

provided, however, that nothing herein contained shall be construed to relieve the examining committee from the obligation to determine and report upon the value of loans, securities, commercial paper and other assets of the trust company. Proviso.

The Commissioner of Banking and Insurance may prescribe regulations governing the scope and method of such examination or examinations by the examining committee. Regulations governing.

The examining committee shall fix the time of such examination or examinations so that one such examination shall commence within six months after, but not concurrent with, the last examination by the Commissioner of Banking and Insurance. Periods for examinations.

2. This act shall take effect immediately.

Approved May 27, 1937.

CHAPTER 58

AN ACT to amend an act entitled "An act concerning banks and banking" (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine.

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

1. Section eleven of the act of which this act is amendatory be and the same hereby is amended to read as follows: Section 11 amended.

11. The board of directors of each bank shall from time to time appoint from its members an examining committee, who shall examine the condition of the bank at least once every twelve months, or oftener, if required, by the board; and such committee shall, after each examination, forthwith report to the board, giving in detail all items included in the assets of the bank which they have Examining committee of banks. Report.

reason to believe are not of the value at which they appear on the books and records of the bank, and giving the value in their judgment of each of such items; and the board shall cause said report to be recorded in the minute books of the bank; the examining committee, by authority of the board of directors, may employ certified accountants to assist them in making such examination, and may use the results of the work of such certified accountants in the preparation of the report of the committee to be made to the board; *provided, however,* that nothing herein contained shall be construed to relieve the examining committee from the obligation to determine and report upon the value of loans, securities, commercial paper and other assets of the bank.

Certified accountants employed.

Proviso.

Regulations governing.

The Commissioner of Banking and Insurance may prescribe regulations governing the scope and method of such examination or examinations by the examining committee.

Periods for examinations.

The examining committee shall fix the time of such examination or examinations so that one such examination shall commence within six months after, but not concurrent with, the last examination by the Commissioner of Banking and Insurance.

2. This act shall take effect immediately.

Approved May 27, 1937.

CHAPTER 59

A FURTHER SUPPLEMENT to an act entitled "An act concerning the militia of the State" (Revision of 1925), approved March tenth, one thousand nine hundred and twenty-five.

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

Records pertaining to veterans.

1. The Adjutant-General, as the State service officer, shall also be charged with the duty of supervising, preparing, drafting, assembling, compiling and filing maps, plans, charts and suitable records of the location, name of veteran, record of war in which said veteran served, of veterans of all wars who are buried in this State. The Adjutant-General, as the State service officer, shall be further charged with the duty of assembling, recording, checking, correcting and filing any and all records, plots, charts, maps concerning the location, name of veteran, record of war in which said veteran served, of veterans of all wars who are buried in this State, which have heretofore been prepared, assembled and filed by any other agency, whether public or private, of this State or of the Federal government in his custody or to which he may be given access. The foregoing duties are imposed upon the State service officer by virtue of this act to the end that there shall be a complete record of all graves in New Jersey in which veterans are buried and that such records shall always be kept up to date. The State service officer is hereby authorized to establish within the personnel of the Adjutant-General's office a division of the State service office to be known as the division of registration of veterans' graves.

Records kept up to date.

Division of veterans' graves.

2. This act shall take effect immediately.

Approved May 27, 1937.

CHAPTER 60

A SUPPLEMENT to an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State and of the various counties and municipalities thereof, and providing for a Civil Service Commission and defining its powers and duties," approved April tenth, one thousand nine hundred and eight.

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

Seniority rights.

1. Coincident with, and subsequent to, the adoption of the act of which this act is supplementary, the seniority rights of officers and employees shall be based upon the length of their respective prior and continuous services, and such additional and continuous services as they may render.

Repealer.

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

Approved May 28, 1937.

CHAPTER 61

AN ACT to authorize the purchase by any municipality of this State, owning a water supply system and supplying water to an adjoining municipality, of the water distribution system lying within and owned by such adjoining municipality; to provide for the issuance of bonds therefor; and for the subsequent operation of such water distribution system.

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

Municipality may purchase adjoining water system.

1. Any municipality of this State, owning its water supply and supplying therefrom the water for the water distribution system owned and operated by an adjoining municipality, may by ordinance, the provisions of which shall be assented to by ordinance of such adjoining municipality, purchase such water distribution system of such adjoining municipality, and issue its bonds therefor.

Bond issue.

2. Such bonds shall be issued in all respects as provided by the local bond act, being chapter seventy-seven of the laws of one thousand nine hundred thirty-five, except that no filing of a supplemental debt statement shall be required and that said bonds may either be sold for cash and the purchase price of such water distribution system paid in cash, or such bonds may be delivered to such adjoining municipality in full or partial payment of such purchase price, and in that event may be disposed of by such adjoining municipality pursuant to resolution of its governing body. In making payment for such water distribution system, due regard and provision shall be given to any amount due for water supplied to such adjoining municipality under an existing contract for the supply of water, and to any liabilities, liquidated or

Existing conditions observed.

unliquidated, incurred by such adjoining municipality with respect to such water distribution system, and to any other items of debt between the two municipalities.

Operation.

3. After any municipality shall have purchased a water distribution system pursuant to the provisions of sections one and two hereof, it shall be authorized to operate such water distribution system as nearly as may be as a part of its own system, and any schedule of rates, rents, charges and penalties which it shall thereafter fix shall be applicable to water users within both municipalities, and in the collection of all such rates, rents, charges and penalties such municipality shall have all the rights and remedies which shall pertain to private corporations supplying water to municipalities of this State.

Rates, etc.

Collections.

4. This act shall take effect immediately.

Approved May 28, 1937.

CHAPTER 62

AN ACT to amend an act entitled "An act providing for the retirement and pensioning of sheriff's employees in counties of the first class of this State," approved March thirtieth, one thousand nine hundred and twenty-seven.

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

Section 1 amended.

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

Persons included.

1. The words "sheriff's employees", as used in this act, shall mean and include court attendants and all other persons appointed by the sheriffs of

the counties of the first class of this State, for the detection, apprehension, service and arrest of offenders against the law, and any other employees of the sheriff of the counties of the first class, aforesaid, who may be subject to call by the said sheriffs for any of the hazardous duties incident to the preservation of the peace, the quelling of riots or disturbances, or the protection of property rights; *provided, however,* that nothing in this act contained shall be construed as applying to any class of employees, except those who are now or who may hereafter be in the classified class of the civil service of this State. Proviso.

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

Approved May 28, 1937.

CHAPTER 63

AN ACT prohibiting the posting of property by others than the owners or lessees thereof.

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

1. From and after the passage of this act, it shall be unlawful for any person or persons to place notices or signs forbidding hunting, fishing or trapping on any property in this State unless he or she be the owner or lessee of such property. Posting hunting notices.

2. All owners or lessees posting property must erect signs or notices containing the printed name or written signature of the owner or lessee in order to constitute legal notices. Legal notices.

3. Any person or persons violating any of the provisions of this act shall be liable to a penalty Penalty.

of twenty dollars ($20.00) for each sign or notice, which shall be recoverable by the persons authorized and in a manner provided by an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, one thousand eight hundred and ninety-seven, and the acts amendatory thereof and supplementary thereto.

Recovery of penalty.

4. This act shall take effect immediately.

Approved May 28, 1937.

CHAPTER 64

AN ACT respecting pollution and obstruction of waters.

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

Placing drugs or explosives in water prohibited.

1. Use of drugs or explosives prohibited; penalty. No person shall place in any of the waters of this State any dynamite, giant or electric powder, explosive substance, drug or poisoned bait, for the purpose of taking, killing or injuring fish, under a penalty of one hundred dollars ($100.00) for each offense.

Penalty.

Putting deleterious substances in water prohibited.

2. Turning deleterious substances into water prohibited; penalty. No person shall allow any dyestuff, coal tar, sawdust, tanbark, lime, refuse from gas houses, or other deleterious or poisonous substance to be turned into or allowed to run into any of the waters of this State in quantities destructive of life or disturbing the habits of fish inhabiting the same, under penalty of two hundred dollars ($200.00) for each offense.

Penalty.

Drawing or screening waters prohibited.

3. Shutting off, drawing off or screening waters prohibited; penalty. No person shall shut off or draw off the waters of any pond, stream or lake in this State or place a screen in a pond, lake or stream without first obtaining permission from the Board of Fish and Game Commissioners of this State under a penalty of one hundred dollars ($100.00) for each offense.

Penalty.

Damming.

4. It is unlawful to construct a dam in any water of this State which is a runway for migratory fish without installing a fish ladder or other contrivance to permit the fish to pass over the dam in either direction, under a penalty of two hundred dollars ($200.00).

Penalty.

Polluting waters at hatchery.

5. Pollution of waters used by State Fish Hatchery; penalty. No person shall put or place in any water used by a State Fish Hatchery any explosive or poisonous substances, or any drug or poison bait, or allow any dyestuff, coal or gas tar, coal oil, sawdust, tanbark, cocculus indicus, otherwise known as fishberries, lime, vitriol or any of the compounds thereof, refuse from gas houses, oil tanks or tanneries, or any deleterious, destructive or poisonous substances of any kind, to be turned into or allowed to run, flow, wash or to be emptied, or find its way into any water used by a State Fish Hatchery, or erect or maintain any privy, water-closet, pigsty, hog pen, inclosure for poultry, barn or barnyard, in which animals or poultry are kept, or drain from any building or the cellars thereof, where drainage or refuse therefrom will find its way into water used by a State Fish Hatchery. In case of the pollution of water used by a State Fish Hatchery, by substances known to be injurious to fish or fish food, it shall not be necessary to prove that the substances have actually caused the death of any particular fish. Any person violating this section shall be subject to a penalty of five hundred dollars ($500.00).

Proving death of fish.

Penalty.

Enforcement of act.

6. This act shall be enforced by the persons authorized and in accordance with the provisions

of the act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, one thousand eight hundred and ninety-seven, and the amendments thereof and supplements thereto.

Repealers.

7. The following acts and parts of acts be and the same are hereby repealed:

Sections 32, 33, 34 repealed.

a. Sections thirty-two, thirty-three, thirty-four of an act entitled "An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and provide open and close seasons for such capture and possession," approved April fourteenth, one thousand nine hundred and three.

Chap. 10, P. L. 1912, repealed.

b. "An act to prohibit the pollution of waters used by a State Fish Hatchery," approved February twenty-sixth, one thousand nine hundred and twelve.

8. This act shall take effect immediately.

Approved May 28, 1937.

CHAPTER 65

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

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

Illegal possession of labeled or trade-marked goods.

1. Any person who shall have in his possession, goods, wares, chattels, articles or other personal property belonging to another, which shall have the name, label or trade-mark of the true owner

stamped, marked, sewed or otherwise impressed thereon or therein, and willfully appropriates said property to his use, or to the use of another not entitled thereto, without having first made every reasonable effort to find the true owner thereof for the purpose of restoring said property to said true owner, shall be guilty of a misdemeanor.

Possession considered unlawful intent.

2. The possession by any person, other than the true owner or his lessee or sublessee, of any goods, wares, chattels, articles or other personal property belonging to another, which shall have the name, label or trade-mark of the true owner stamped, marked, sewed or otherwise impressed thereon or therein, shall be prima facie evidence of an intent to willfully appropriate said property to his use, or the use of another not entitled thereto, without having first made every reasonable effort to find the true owner thereof for the purpose of restoring said property to said true owner.

Definition.

3. In this act the word "appropriates" or "appropriate" shall be construed to include cleaning, processing, supplying, serving or servicing the property described in this act.

Person defined.

4. In this act wherever the word "person" is used, the same shall be construed to mean and include a person, persons, firm, copartnership, society, agency, corporation, association, unincorporated association or other corporation of any character whatsoever.

Certain pronouns construed.

5. In this act wherever the word "him" or "his" is used the same shall be construed to mean and include "him" or "his", "her" or "hers", "it" or "its", and "them" or "theirs".

6. This act shall take effect immediately.

Approved May 28, 1937.

CHAPTER 66

AN ACT to amend an act entitled "An act to amend an act entitled 'An act for the establishment of an employees' retirement system for the employees of the State of New Jersey,' approved March thirty-first, one thousand nine hundred and twenty-one," which said amendment was approved March eleventh, one thousand nine hundred and twenty-four.

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

Section 2 amended.

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

MEMBERSHIP OF RETIREMENT SYSTEM

How membership composed.

2. Except as otherwise provided by section twelve of this act, the membership of the retirement system shall consist (a) of all persons hereafter appointed to duties requiring principally physical exertion who shall complete one year of service for the State, (b) of all clerks, administrative and technical workers hereafter appointed to duties requiring principally mental exertion who shall complete six months of service for the State, (c) of all persons hereafter appointed who shall before they complete the length of service mentioned above as applying to their respective duties file with the board of trustees a statement electing to become a member and consenting to the deductions for annuity purposes prescribed by this act, and (d) of all persons now gainfully employed by the State who shall, within one year after the establishment of the system file with the board of trustees a statement electing to become a member and consenting

to the deductions for annuity purposes prescribed in this act; *provided,* that the board of trustees may, in its discretion, extend the period in which employees now gainfully employed by the State may file a statement electing to become members to a period not exceeding five years from the date of establishment of the retirement system. The board may deny the right to become members of the retirement system to any class of elected officials or to any class of persons not within the classified civil service, but any person who has been a member of the retirement system for ten or more years and who has been or may hereafter be appointed to an office or position in the unclassified service shall be eligible to continue as a member of such system and entitled to all the rights and privileges thereunder, if he so elects. Any person who has been a member of the retirement system for ten or more years as aforsaid, who by reason of his acceptance of an appointive office has been denied further eligibility by the board of trustees and who has been continuously in the State service since his required withdrawal from the retirement system, shall be reinstated to membership therein and given credit for his years of service from the date of such separation if he shall pay into the said system the total amount calculated to be due by the said board of trustees to cover the legal annuity payments for the period from the date of his withdrawal to the date of such payment at any time within six months from the date on which this act shall become effective. Thereafter, the deductions from his compensation for annuity purposes shall be made as heretofore and as prescribed by law. Any person in the classified civil service who may hereafter be appointed to an office or position in the unclassified service, who at the time of such appointment has been a member of the retirement system for ten or more years, and who shall give written notice to the secretary of the retirement system within thirty days after such appointment

Proviso.

Refusal.

Continuance of members.

Reinstatement.

Deductions.

Continuance of members in classified service.

that he elects to continue therein, such person shall be so continued as a member of such system, entitled to all of the rights and privileges thereunder, and the deductions from his compensation for annuity purposes shall be made as heretofore and as prescribed by law. The board of trustees may deny to any class of persons whose compensation is only partly paid by the State, or it may, in its discretion, make optional with persons in any such class their individual entrance into membership. But employees of the State who come, or who may elect to come, within the provisions of any other retirement system supported wholly or partly by the State of New Jersey shall not be eligible to membership in this retirement system. Membership of any person in the retirement system shall cease if, in any four-year period which shall elapse after his last becoming a member, he shall render to the State less than two years of service, but not otherwise except as provided in this act.

In partly paid cases.

In other systems.

Membership to cease.

Information required from head of department.

The head of a department employing a member shall submit to the board of trustees a statement showing the name, title, compensation, duties, date of birth and length of service of the said member and such other information as the board of trustees may require. If the said member be engaged upon duties differing from those specified by the State Civil Service Commission for the title held by said member, the said head of department shall certify the reasons therefor and the probable duration of duties by said member differing from those specified by the State Civil Service Commission for the title held by the said member. The board of trustees shall then classify the member in one of the following groups:

Nature of duties.

Classification of members:

Physical workers;

Group 1. Employees engaged upon duties requiring principally physical exertion.

Mental workers.

Group 2. Clerks, administrative and technical workers engaged upon duties requiring principally mental exertion; or in any other group which, on the basis of mortality or service experience, may

be recommended by the actuary and established by the board of trustees, and shall certify to the said member the group in which he has been placed and the date of his admission to membership therein.

Members subject to act.

Upon being classified in one of the foregoing groups, the member shall be subject to all the provisions of this act and to all the rules and regulations adopted by the board of trustees applying to the said group until retirement or until the date prior thereto upon which said member shall have been transferred to another group by the said board.

Reclassification.

When the board of trustees, upon investigation, finds that the duties of a member so require, the said board may classify him in another group and transfer him thereto, and shall thereupon certify to him the group to which he has been transferred and the date of his transfer thereto.

2. This act shall take effect immediately.

Approved May 28, 1937.

CHAPTER 67

A SUPPLEMENT to an act entitled "An act for the establishment of an employees' retirement system for the employees of the State of New Jersey," approved March thirty-one, one thousand nine hundred and twenty-one.

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

Additional trustee.

1. In addition to the two trustees elected from among the members of the retirement system created by the act to which this act is a supplement, one additional trustee shall be elected to serve for a term of three years from the first day of July,

Term.

one thousand nine hundred and thirty-seven, and every three years thereafter a trustee shall be elected for a like term. Such additional trustee shall be elected in the manner provided for the election of trustees in the act to which this act is a supplement. Vacancies occurring in said office shall be filled by election, but for the unexpired term only.

2. This act shall take effect immediately.

Approved May 28, 1937.

CHAPTER 68

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

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

Yacht basin in Buxton's creek, Long Branch.

1. In addition to the powers conferred by the provisions of the act to which this act is a further supplement, the Board of Commerce and Navigation is authorized and empowered to provide for the construction, dredging and maintenance of a yacht basin or anchorage area at and adjacent to both sides of the mouth of Buxton's creek, at Pleasure Bay, in the city of Long Branch, in the county of Monmouth and State of New Jersey, and to do all things necessary in connection therewith for effectuating this act.

2. The sum of fifty thousand dollars ($50,000.00) is hereby appropriated to cover the cost of the said work, to be expended by said Board of Commerce and Navigation, in accordance with the laws of this State. Same is to be available when included in any annual or supplemental appropriation bill or from any other funds allotted to the Board of Commerce and Navigation. Appropriation.

3. This act shall take effect immediately.

Approved May 28, 1937.

CHAPTER 69

AN ACT to validate acknowledgments or proof of deeds.

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

1. All acknowledgments or proofs of deeds heretofore made or taken notwithstanding any errors or imperfections in said acknowledgments or proofs, shall be taken and held to be good and sufficient in law; *provided, however,* that all such deeds shall have been already recorded for a period of at least five years. Acknowledgments validated. Proviso.

2. This act shall take effect immediately.

Approved May 28, 1937.

CHAPTER 70

A SUPPLEMENT to an act entitled "An act to regulate and limit the hours of employment of females in any manufactory, mercantile establishment, in any bakery, laundry or restaurant, in order to safeguard the health of such employees, to provide for its enforcement and the penalty for its violation," approved March twenty-eighth, one thousand nine hundred and twelve.

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

Females forbidden night work.

1. In order to protect the health of females employed in manufacturing establishments, bakeries and laundries and restaurants by providing an adequate period of rest at night, no female shall be employed or permitted to work in any manufacturing establishment, bakery, restaurant or laundry in this State before seven o'clock in the morning or after twelve o'clock in the evening of any day; *provided,* that nothing herein contained shall apply to canneries engaged in the packing perishable products such as fruits and vegetables.

Proviso; canneries excepted.

Enforcement by commissioner of labor.

2. It shall be the duty of the Commissioner of Labor, the assistant commissioner or the inspectors, to enforce this act, and they shall have the power to investigate and inspect all establishments coming under the intent and provisions of this act.

Penalty.

3. Any corporation, or the officers or agents thereof, the members or agents of any firm, or any person, who shall violate any of the provisions of this act shall be liable for a first offense to pay a penalty of not less than twenty-five dollars ($25.00) nor more than fifty dollars ($50.00) and for each additional offense to a penalty of not less than fifty dollars ($50.00) nor more than two hundred dollars ($200.00).

4. All proceedings brought under the provisions of this act shall be by action of debt in the name of the Commissioner of Labor, to be instituted in any district court of a city or judicial district where the offense was committed, recorders' courts of towns, boroughs or cities where the offense was committed, or before a justice of the peace having due jurisdiction and the first process shall be by summons, which process shall be served on the corporation, person or persons violating the provisions of this act. Service upon a corporation may be made upon the president, vice-president, secretary, or any director, registered agent, or any other officer, and if none of them reside in the county where the offense was committed or cannot be found therein, then said service may be made upon the manager, superintendent, foreman or person in charge of the business where such offense was committed. Service of process may be made upon an individual or individuals violating the provisions of this act by serving such individual personally or by leaving a copy thereof at the dwelling house or place of such individual in the presence of some person of the family of the age of fourteen (14) years or more, who shall be informed of the contents thereof, and if the individual violating the provisions of this act be the owner or operator of the business wherein the offense was committed, and if such owner or operator does not reside in the county where said offense was committed, service of the said process be made upon the manager, superintendent, foreman or person in charge of the said business. It shall be a sufficient compliance with the provisions of this section if, in serving such process, a copy of the said process be served. Such process shall be made returnable not less than five (5) days from the date of such process and shall specify a certain time and place for the appearance of the defendant. All proceedings thereafter shall be the same as in an action of debt in said court; the finding of the court shall be that the defendant has or has not, as the case may be, in-

Court proceedings.

Summons.

Service on corporations.

Service on persons.

Serving copy.

Subsequent proceedings.

curred the penalty claimed in the demand of the plaintiff, and judgment shall be given accordingly; in case an execution shall issue and be returned unsatisfied, the court, on application, after notice to the defendant, may award an execution to take the body of the defendant, if an individual, and in case such a defendant is committed under such an execution, he shall not be discharged under the insolvent laws of the State, but shall only be discharged by the court making the order for the body execution, or one of the justices of the Supreme Court, when such court or justice shall be satisfied that further confinement will not result in the payment of the judgment and costs; all moneys collected under the provisions of this act shall be paid into the Treasury of the State of New Jersey.

Commitment.

Discharge.

Validity of act.

5. If any portion of this act be invalid or unconstitutional, it shall not affect any other portion of this act.

Chap. 144, P. L. 1923, repealed.

6. An act entitled "Supplement to an act entitled 'An act to regulate and limit the hours of employment of females in any manufactory, mercantile establishment, in any bakery, laundry or restaurant, in order to safeguard the health of such employees, to provide for its enforcement and a penalty for its violation,' approved March twenty-first, one thousand nine hundred and twenty-three," being chapter one hundred forty-four of the laws of one thousand nine hundred and twenty-three, is hereby repealed.

7. This act shall take effect immediately.

Approved May 28, 1937.

CHAPTER 71

A SUPPLEMENT to an act entitled "An act for the payment of a bonus to each soldier, or a dependent or dependents thereof, who served in the military or naval forces of the United States during the war between the United States and the German Empire and its allies," approved May sixth, one thousand nine hundred and twenty-nine.

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

Further appropriation for bonuses.

1. For the purpose of further carrying out the provisions of the act to which this act is a supplement, and concluding final payments pursuant to said act, there is hereby appropriated the sum of forty thousand dollars ($40,000.00), or so much thereof as may be necessary. All applications for claims and all payments shall be made in accordance with the provisions of the act to which this act is a supplement.

2. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 72

A SUPPLEMENT to an act entitled "An act to establish a State highway system, and to provide for the improvement, betterment, reconstruction, resurfacing, maintenance, repair and regulation of the use thereof" (Revision of 1927), approved March thirtieth, one thousand nine hundred and twenty-seven.

Preamble. WHEREAS, By chapter two hundred forty-eight of the laws of New Jersey of one thousand nine hundred and thirty, and chapter four hundred twenty of the laws of New York of one thousand nine hundred and thirty, The Port of New York Authority (hereinafter called the Port Authority) was authorized and directed to study and report to the Legislatures upon a tunnel for vehicular traffic under the Hudson river (hereinafter called the Midtown Hudson tunnel); and

Preamble. WHEREAS, Pursuant to the aforesaid statutes, to assure co-operation between the State and the Port Authority in the development of a plan for the New Jersey approach to said Midtown Hudson tunnel, a committee was formed consisting of representatives of the Port Authority and the following New Jersey officials, to wit: Arthur N. Pierson, President of the Senate; Joseph G. Wolber, majority leader of the Senate; Russell S. Wise, majority leader of the Assembly; H. Otto Wittpenn, member of State Highway Commission; Jacob L. Bauer, State Highway Engineer, and J. Ernest Thier, supervisor of roads, Bergen county; and

Preamble.

WHEREAS, The aforesaid committee reached an understanding that the said New Jersey approach should include an open cut across the Palisades connected with State Highway Routes Nos. 1 and 3 and with Hudson county boulevard and Hudson county boulevard East, as well as with the Midtown Hudson tunnel, that said open cut and its highway connections should be available for general highway traffic as well as for traffic to and from said tunnel, that surplus materials excavated from said open cut should be made available to the State Highway Commission to provide fill for a new State highway in the vicinity of the westerly end of said approach, and that upon its completion said open cut and its connections should be taken over by the State and maintained as part of the State highway system, which said understanding was embodied in a report by the New Jersey members of said committee, to the chairman of the Port Authority, dated December twenty-sixth, one thousand nine hundred and thirty, and also in the report of the Port Authority to the Legislatures of the two States, dated January ninth, one thousand nine hundred and thirty-one; and

Preamble.

WHEREAS, The said Midtown Hudson tunnel is now being constructed by the Port Authority pursuant to subsequent legislation of the two States in no way inconsistent with the aforesaid understanding, and the State of New Jersey desires to effectuate the aforesaid understanding with respect to the New Jersey approach; now, therefore,

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

Approaches to Midtown tunnel declared part of highway system.

1. When, pursuant to chapter four of the laws of one thousand nine hundred and thirty-one, the Port of New York Authority has completed in its entirety the construction of the approaches to the

Midtown tunnel according to and in complete conformity with a general plan of construction, approved by the State Highway Commissioner, which plan shall provide for a type of construction in conformity with the standards prescribed by the department for similar roads in the State highway system, and constituting a highway connection between State Highway Route No. 3, in the township of North Bergen and Hudson county boulevard East, in the township of Weehawken (viz., a six-lane depressed roadway through Union City, and the connections thereof on the west with State Highway Routes No. 1 and No. 3 and Hudson county boulevard and on the east with Hudson county boulevard East, all in accordance with said general plan), and dedicated it to public use for general highway purposes as well as tunnel traffic purposes, the said portion of said approach shall become a part of the State highway system, and shall thereafter be maintained, operated and administered by the State as a traffic connection with the Midtown tunnel as well as for general highway purposes in accordance with the laws of the State relating to maintenance, operation and administration of the State highway system and future amendments thereof and supplements thereto.

Operation and maintenance.

2. Nothing herein contained shall be construed to permit the State Highway Commissioner to construct any portion of said approach. Nothing herein contained shall be construed to obligate the State to provide to the Port of New York Authority the funds with which to construct any portion of said approach.

Not constructed by State.

3. Nothing herein contained shall be construed to permit the State Highway Commissioner to maintain any portion of said approach other than the portion above described.

Part maintained by State.

4. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 73

AN ACT providing for the pensioning of county probation officers (Revision of 1937).

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

Citing act.

1. This act may be cited as "An act providing for the pensioning of county probation officers in certain counties of this State."

Definition.

2. The words "county probation officers" as used in this act shall mean and include the chief probation officer; and persons permanently appointed to act as probation officers, which appointments are made by the judge or judges of the court of common pleas, on application of the chief probation officer, as provided for in the probation act, chapter one hundred and fifty-six, pamphlet laws of nineteen hundred and twenty-nine.

Retirement of probation officers.

3. The county probation officers in the counties of this State now or hereafter having within their territorial limits a population of over eighty-three thousand inhabitants, as ascertained by the last preceding Federal census, who have served as such county probation officers for a continuous period of twenty years and have reached the age of sixty years shall, upon application in writing to the judge or judges of the court of common pleas of their respective counties, be retired upon one-half pay.

Explaining half pay retirement.

4. The words "be retired upon one-half pay," as used in this act, shall be construed to mean, retired upon a pension equal to one-half of his or her annual salary at the time of his or her retirement.

Retirement for disability.

5. Any county probation officer who shall at any time receive a permanent disability by reason of injury, accident or sickness, physical or mental, which shall permanently incapacitate him or her from further duty, whether he or she shall have served as a county probation officer for a con-

tinuous period of twenty years or not, or whether he or she shall have reached the age of sixty years or not, shall, upon the certification of the fact of such disability by three physicians designated as hereinafter provided, be retired upon one-half pay.

Retirement after twenty years' service.

6. Any county probation officer who shall have served as such for a continuous period of twenty years, whether he or she has reached the age of sixty years or not, who shall be found to be physically or mentally unfit for further service shall, upon application in writing to the judge or judges of the court of common pleas of his or her county, be retired upon one-half pay.

Determining permanent incapacity.

7. Permanent incapacity for further duty of any county probation officer shall, for all purposes of this act, be established and determined by a board of three physicians, who shall be designated for that purpose by the judge, or if there be more than one, a majority of the judges of the court of common pleas of such county. The three physicians so designated shall examine such county probation officer and if they, or a majority of them, find that such county probation officer is permanently incapacitated for further duty, they or a majority of them, shall make and sign a certificate to that effect and file the same with the judge or judges of the court of common pleas, the chief probation officer and the county treasurer, and thereupon the applicant shall be retired upon one-half pay.

Medical board.

Finding.

Widow's pension.

8. The widow of any county probation officer, who shall die from any cause while in the service, whether the said county probation officer shall have served as such for a continuous period of twenty years or not, or whether such county probation officer shall have reached the age of sixty years or not, shall receive a pension, so long as she shall remain unmarried, equal to one-half the amount of the annual salary of such county probation officer at the time of his death; and upon the death of such widow, or in the event there be no widow, the child or children of such probation officer, under the age of sixteen years shall, until each reaches the age of

Amount.

sixteen years, receive the proportionate amount of said pension.

Widower's pension.

9. The widower of any county probation officer who shall die from any cause while in the service, whether the said county probation officer shall have served as such for a continuous period of twenty years or not, or whether such county probation officer shall have reached the age of sixty years or not, shall receive a pension, so long as he shall remain unmarried, equal to one-half the amount of the annual salary of such county probation officer at the time of her death, and upon the death of such widower, or in the event there be no widower, the child or children of such probation officer, under the age of sixteen years shall, until each reaches the age of sixteen years, receive the proportionate amount of said pension; *provided, however,* that no pension shall be paid to the surviving husband of any deceased probation officer unless the said surviving husband was wholly dependent for his income upon the said county probation officer at the time of her death, and shall continue to remain so dependent upon the income which such probation officer was receiving at the time of her death; *and further provided,* that said surviving husband shall be and continue to remain physically or mentally incapable of pursuing some gainful occupation. The question of dependency, as well as ability to pursue some gainful occupation, of the surviving husband shall be determined in the same manner as the permanent incapacity of probation officer as provided for in section seven of this act.

Amount.

Of children.

Proviso.

Proviso.

Dependency.

Widow's pension when retired husband dies.

10. If any county probation officer, after having been retired on one-half pay, shall die, leaving him surviving a widow, who was his wife at the time of his retirement, such widow, so long as she shall remain unmarried, shall receive a pension equal to one-half the amount of the annual salary of such county probation officer at the time of his retirement; and upon the death of such widow, or in the event there be no widow, the child or children of such probation officer, under the age of sixteen

In case of children.

years, shall, until each reaches the age of sixteen years, receive the proportionate amount of said pension.

Widower's pension when retired wife dies.

11. If any county probation officer, after having been retired on one-half pay, shall die, leaving her surviving a widower, who was her husband at the time of her retirement, such widower, so long as he shall remain unmarried, shall receive a pension equal to one-half the amount of the annual salary of such probation officer at the time of her retirement, and upon the death of such widower or in the event there be no widower, the child or children of such probation officer, under the age of sixteen years, shall, until each reaches the age of sixteen years, receive the proportionate amount of said pension; *provided, however,* that no pension shall be paid to the surviving husband of any deceased probation officer unless the said surviving husband was wholly dependent for his income upon the said county probation officer at the time of her death, and shall continue to remain so dependent upon the income which said probation officer was receiving at the time of her death; *and further provided,* that said surviving husband shall be and continue to remain physically or mentally incapable of pursuing some gainful occupation. The question of dependency of surviving husband shall be determined in the same manner as the permanent incapacity of probation officers as provided for in section seven of this act.

Proviso.

Proviso.

Dependency.

Payments.

12. Persons who may become entitled to pensions under this act shall be paid such pensions in the same manner and at the same time as county probation officers in active service in the several counties are respectively paid.

Creating fund:

From salary;

County's contribution;

13. A fund shall be created in the following manner for the purpose of paying such pensions, to wit: There shall be deducted from every payment of salary to each county probation officer three per centum (3%) of the amount thereof, then there shall be contributed annually by the county an

amount equivalent to three per centum (3%) of the said probation officers' salaries; to said sum there shall be added all moneys donated for the purpose of such fund, and all rewards which may be paid to any county probation officer while acting as such county probation officer, all of which moneys and rewards shall be paid over to the board of chosen freeholders of the county to be deposited in such fund. In case, at any time, there shall not be sufficient money in such pension fund to pay such pensions the board of chosen freeholders of the county shall, from time to time, include in any tax levy a sum sufficient to meet the requirements of such pension fund. Whenever such pension fund shall exceed an amount which the board of chosen freeholders of such county shall by resolution from time to time determine to be adequate for such pension fund, no moneys, except the three per centum (3%) specified in this act, and the moneys given or donated as herein mentioned and any aforementioned rewards, shall be paid into such fund, unless and until the amount of such fund shall fall below the amount thus determined to be adequate. Any county probation officer who has paid into the pension fund for at least ten years, and is no longer in the service, shall have the right to withdraw from said pension fund and shall be entitled to a refund of the moneys theretofore deducted from his or her salary. All pensions granted under this act shall be exempt from any State or municipal tax, levy and sale, garnishment or attachment, or any other process whatsoever, and shall be unassignable.

Rewards.

Deficiency met by tax.

When fund above fixed amount.

Right of withdrawal.

Certain exemptions.

14. This act shall not be construed to affect in any manner any other pension fund now organized or created under any existing law nor shall the same affect in any manner any pension association or corporation now organized and existing under any present law, nor shall it affect any of the members thereof; nor shall it affect any county whose probation officers have or may hereafter merge or join in any other pension fund.

Other funds not affected.

Management and control of fund by freeholders.

15. The board of chosen freeholders of said county shall have the management and control of said fund and is hereby empowered to make all necessary rules and regulations concerning the same not inconsistent with this act; all moneys not needed for the immediate payment of such pension shall be invested by said board of chosen freeholders, in interest-bearing bonds of any municipality in this State or in any other interest-bearing securities in which savings banks of this State are authorized to invest their funds.

Investments.

Revisionary act.

16. This act shall be considered as a revision of an act entitled "An act providing for the pensioning of county probation officers in counties of the first class in this State," approved March twenty-ninth, one thousand nine hundred and twenty-six, constituting chapter two hundred and ninety-two of the pamphlet laws of one thousand nine hundred and twenty-six; and the amendment "An act to amend the title and body of an act entitled 'An act providing for the pensioning of county probation officers in counties of the first class in this State,' which amendment was approved March twenty-ninth, one thousand nine hundred and twenty-seven," constituting chapter two hundred and seventy-nine of the pamphlet laws of one thousand nine hundred and twenty-seven; and the said acts and all acts and parts of acts general or special, to the extent that they relate to the subject matter of this act, are hereby superseded and repealed.

Validity of act.

17. If any section, subdivision or clause of this act shall be held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the act.

18. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 74

AN ACT to validate and confirm conveyances of land made in the corporate names of corporations which had expired by their own limitation or been annulled by the Legislature or otherwise dissolved prior to the execution and delivery of such conveyances, and the record thereof.

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

Certain corporate conveyances validated.

1. Every conveyance of lands of any corporation, heretofore executed and delivered in the corporate name, after such corporation had expired by its own limitation or been annulled by the Legislature or otherwise dissolved; *provided,* such conveyance was executed by the person who was the president or a vice-president thereof at the date of dissolution, and such deed has been of record for at least one year, is hereby validated and confirmed; and any and all such conveyances, and the record thereof, shall be as valid and effectual in law and in equity as if executed and delivered by the directors of such corporation as trustees on dissolution.

Proviso.

2. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 75

AN ACT to amend an act entitled "An act to ratify, confirm, validate and make legal and effectual certificates of tax sale issued by any municipality of this State, pursuant to the provisions of 'An act concerning unpaid taxes, assessments and other municipal charges on real property, and providing for the collection thereof by the creation and enforcement of liens thereon' (Revision of 1918), approved April fifteenth, one thousand nine hundred and thirty-five," and constituting chapter one hundred fifty-six of the pamphlet laws of one thousand nine hundred and thirty-five.

Preamble.

WHEREAS, The collector of taxes of a certain municipality of the State of New Jersey held tax sales prior to January first, one thousand nine hundred and twenty-five, and failed to execute such tax sale certificates in the manner required by law; and

Preamble.

WHEREAS, The present incumbent of that office is without authority to execute said certificates of tax sale; now, therefore,

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

Section 1 amended.

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

Validating certain tax sale certificates.

1. Whenever a sale for unpaid taxes, assessments and other municipal charges on real property has heretofore been held in any municipality and the collector or other officer charged by law in such municipality to hold such sale has sold parcels of

real property in such municipality to the said municipality pursuant to the act to which this act is a supplement, and the amendments thereto and supplements thereof, but has failed within time to execute to the said municipality certificates of tax sale for such parcels of real property, and the said certificates of tax sale have thereafter been executed by the officer holding such sale, or his successor in office, or by the officer succeeding the successor in office, within thirty months after assuming office, such certificates of tax sale shall be valid and effectual in all respects; *provided, however,* that nothing herein contained shall affect the rights of any innocent purchaser for value who may have acquired an interest in the property described in any such certificate. Proviso.

2. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 76

AN ACT to supplement an act entitled "An act concerning alcoholic beverages," passed December sixth, one thousand nine hundred and thirty-three.

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

1. Any person convicted of a crime involving moral turpitude may, after the lapse of ten (10) years from the date of conviction, apply to the State Commissioner of Alcoholic Beverage Control for an order removing the resulting statutory disqualification from obtaining or holding any license or permit under the act, as amended and supplemented, to which this is a supplement. Order for removing disqualifications from holding liquor license.

Order of removal entered.

2. Whenever any such application is made and it appears to the satisfaction of the commissioner that at least ten (10) years have elapsed from the date of conviction, that the applicant has conducted himself in a law-abiding manner during that period and that his association with the alcoholic beverage industry will not be contrary to the public interest, the commissioner may, in his discretion and subject to rules and regulations, enter an order removing the applicant's disqualification from obtaining or holding a license or permit because of the conviction.

Person qualified to obtain and hold license.

3. On and after the date of the entry of such order, the person therein named shall be qualified to obtain and hold a license or permit under the act, as amended and supplemented, to which this is a supplement, notwithstanding the conviction therein referred to, provided he is, in all other respects, qualified under said act.

4. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 77

AN ACT granting permission to "The Thomas Alva Edison Foundation Incorporated" to erect a memorial to Thomas A. Edison, at Edison Park.

Preamble.

WHEREAS, By chapter two hundred eighteen of the laws of one thousand nine hundred and thirty-one, of the State of New Jersey, there was created a body politic under the name and style of "Commissioners of Edison Park", with power to acquire in the name of the State of New Jersey such lands as might be necessary for the establishment of a public park at Menlo Park in the township of Raritan, in the county of Middlesex; and with power to develop such public park as therein provided; and

WHEREAS, By deed dated May twenty-fifth, one thousand nine hundred and thirty-three, and recorded in the office of the county clerk of Middlesex county in Book 1051 of Deeds, page 285, Henry Ford and Clara J. Ford, his wife, conveyed to the State of New Jersey, certain lots of land shown upon a certain map entitled "Map of Menlo Park Homestead Association of New Jersey Railroad", and more particularly described therein, for use in the creation of such public park; and Preamble.

WHEREAS, A steel beacon tower as a memorial to Thomas Alva Edison is now standing upon said lands; and Preamble.

WHEREAS, The Thomas Alva Edison Foundation Incorporated, a corporation of the State of New York, now desires to erect a permanent structure or tower surrounding and replacing the aforesaid tower now upon said lands, to be known as a Thomas Alva Edison Memorial, for the purpose of maintaining the beacon light now being operated upon the present tower and to be operated on said permanent structure; and Preamble.

WHEREAS, Said commissioners believe it desirable for the development of such public park for the purposes for which the same was created that said Foundation be granted permission to enter upon said park lands and erect such memorial; therefore, Preamble.

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

1. That the Commissioners of Edison Park be and they are hereby authorized to grant to The Thomas Alva Edison Foundation Incorporated, a corporation of the State of New York, without consideration other than hereinafter provided, permission to erect and maintain a suitable memorial of concrete or other enduring material, to the Permission to erect Edison memorial beacon.

late Thomas Alva Edison, upon a plot of land to be located by the Commissioners of Edison Park, surrounding and replacing the steel tower now erected upon said lands; *provided, however,* that the plans and specifications for such memorial shall first be approved by the Commissioners of Edison Park; *and, further,* that said Foundation shall defray the total cost of erecting such structure, including liability of any nature that may arise in connection therewith.

Proviso.

Proviso: cost.

2. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 78

A SUPPLEMENT to an act entitled "An act for the establishment of an employees' retirement system for the employees of the State of New Jersey," approved March thirty-first, one thousand nine hundred and twenty-one.

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

Employees of State may subsequently join retirement system.

1. Any person who was in the employ of the State of New Jersey at the time when the act to which this act is a supplement became effective, and who has not joined said retirement system, may do so at any time within twelve months from the date of the passage and approval of this act, upon paying into said retirement fund such arrears, over a period of not more than ten years in regular semi-monthly installments, with interest, as the board of trustees of said retirement system shall determine to be due, in order to give to such person the same standing as a member of said retirement system as other members who have joined the same when the act to which this act is a supplement became effec-

tive, or he shall have the option of joining as a new member upon proper application to the board of trustees, with no credit for previous service.

Credit for services prior to system.

2. Any person who was in the employ of the State of New Jersey at the time when the act to which this act is a supplement became effective, and who subsequently joined said retirement system, may, in order to give to such person the same standing as a member of said retirement system as other members who joined the same when the act to which this act is a supplement became effective, receive credit for service rendered to the State prior to the date of establishment of the retirement system under such rules and regulations as the board of trustees shall adopt. Each member who was gainfully employed by the State during any part of the two years immediately preceding the establishment of this retirement system, shall file within twelve months from the date of the passage and approval of this act, a detailed statement of all service rendered to the State prior to the date of establishment of the retirement system for which he claims credit.

Statement of prior services filed.

3. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 79

A SUPPLEMENT to an act entitled "An act concerning idiots and lunatics" (Revision), approved March twenty-seven, one thousand eight hundred and seventy-four.

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

Provision for receiving personal property.

1. In all cases where an alleged incompetent ward for whom a guardian has been appointed under the provisions of the act to which this is a supplement may and shall become entitled to per-

sonal property amounting to not more than two thousand dollars ($2,000.00), from any source, said guardian may file a petition to the ordinary of this State or in the orphans' court of the county in which said guardian was appointed, setting forth the appointment, the amount of said personal property of said ward, the name and address of the person or institution, if any, having actual custody

Bond given.

of the said ward, and upon giving a bond to the ordinary of the State in such sum as the ordinary or the orphans' court of the county may approve and order, conditioned for the faithful execution of the duties of said fiduciary, such guardian of said ward may in the discretion of the court be permitted to receive the said personal estate for conservation and administrative care. And upon payment of any money to such guardian, a release executed by said guardian to the person or persons paying the same shall be valid and effective.

Release by guardian.

Notice by court.

2. Upon the filing of the petition under the provisions of this act, the court shall cause such notice or notices to be given as is provided by law in cases affecting the interests of the ward.

Use of receipts.

3. Said guardian or guardians may expend any portion of such personal property as heretofore, and may also expend any portion thereof to preserve or protect any interest in property, real or personal, vested in said ward and to suitably maintain the dependents of said ward, as may be approved by and upon the written order of the said

Investment.

ordinary or orphans' court; and shall be authorized to invest the said personal property in such manner and in such securities as are allowed by law or are approved by the court.

Fees.

4. The fees allowed by law shall be applicable to proceedings had under this act on personal estates and shall be taxed by the ordinary, or the surrogates of the respective counties.

Repealer.

5. All laws or parts of laws inconsistent herewith are hereby repealed.

6. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 80

AN ACT to amend an act entitled "An act concerning shellfish and the propagation, planting and preservation and gathering of clams and oysters in the tidal waters of this State, and of crabs in Delaware bay and its tributaries, and providing penalties and punishment for violations, and repealing sundry acts relating thereto" (Revision of 1931), approved April twenty-first, one thousand nine hundred and thirty-one, as the title of said act was amended by an act approved March twenty-first, one thousand nine hundred and thirty-two.

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

1. Section seventy-four of article one of title four of the act of which this act is amendatory be and the same is hereby amended so that the same shall read as follows: Section 74 amended.

74. No person shall catch or take oysters by any means from any of the natural oyster beds under the tidal waters of the Atlantic seaboard of this State and tributaries thereto, except Delaware bay, at any time except during the months of May and June of each year, and then only persons duly licensed under section thirty-five of this act; *provided, however,* that nothing herein contained shall apply to the beds in Great bay and Mullica river from which shellfish may be taken during the months of October, November, April and May of any year; *and provided, further,* that the Board of Shell Fisheries are authorized and empowered, in their discretion, to close any or all of the beds during any one or all of the months in this proviso mentioned for the purpose of protecting oyster Months for oystering in Delaware bay. Proviso. Proviso.

seed from excessive losses due to the removal of such seed from the beds when it is too small or too frail. The Board of Shell Fisheries shall give notice of at least fifteen days for the closing of any or all such beds in this proviso referred to.

Notice of closing beds.

2. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 81

AN ACT to authorize the borough of Totowa to pay a pension to the widow of the former captain of police Albert Drew.

Preamble. WHEREAS, Albert Drew, a resident of the borough of Totowa, in the county of Passaic, and State of New Jersey, was an officer of the police department of the borough of Totowa; and

Preamble. WHEREAS, The said Albert Drew did, during his lifetime, render excellent, efficient and faithful service to the said borough of Totowa in the performance of the duties of his office; and

Preamble. WHEREAS, The said Albert Drew has left him surviving his widow, Josephine A. Drew, and his infant son, Albert Drew; and

Preamble. WHEREAS, The borough of Totowa, at the time of the death of the said Albert Drew, did not have in force and effect any pensions that would inure to the benefit of his said widow and infant son; therefore

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

Pension to Josephine A. Drew.

1. The borough of Totowa is hereby authorized to pay to the said Josephine A. Drew, widow of the said Albert Drew, for her natural life so long as

she shall remain unmarried, a pension in such sum as the governing body of the said borough of Totowa shall, in its discretion, deem most advisable and just under the conditions and circumstances; which pension shall be paid in semimonthly installments during that period of time.

Provision for funds.

2. The said borough of Totowa may provide in its annual budget for the payment of the aforementioned pension, and from the time of the passage of this act until the adoption of its next budget, may pay such pension as the governing body may decide upon from any funds available therefor.

3. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 82

A SUPPLEMENT to an act entitled "An act to establish a State highway system, and to provide for the improvement, betterment, reconstruction, resurfacing, maintenance, repair and regulation of the use thereof" (Revision of 1927), approved March thirtieth, one thousand nine hundred and twenty-seven.

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

Route 51 to be built.

1. The State Highway Commissioner shall, as soon as practicable, lay out and construct as an addition to the present State highway system, as determined by the act to which this act is a supplement, the following described route:

Line of route.

Route No. 51. Beginning at a point on Route No. 44 in or near Bridgeport and intersecting with S-44, thence passing in the vicinity of Mullica Hill, Richwood and Glassboro and connecting with Route No. 42 in or near Williamstown.

Route constructed by road department.

Funds for work.

2. Said route, as fixed and determined by this act, shall be constructed by the State Highway Commissioner in the same manner and subject to the procedure provided by the provisions of the act to which this act is a supplement, from the moneys forwarded by the Commissioner of Motor Vehicles to the Treasurer of the State to be used by the State Highway Commissioner for the construction of roads and bridges, which said moneys are derived pursuant to the provisions of an act entitled "An act to impose a tax on the sale of motor vehicle fuels as herein defined to be paid by distributors as herein defined; regulating the sale of such fuels; providing for the collection of said tax, for reports of sales of such motor fuels, and for the disposition of the revenue derived from such tax, and fixing penalties for the violation of the terms hereof," passed April first, one thousand nine hundred and twenty-seven, and being chapter three hundred and thirty-four of the laws of one thousand nine hundred and twenty-seven.

3. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 83

AN ACT making certain obligations of the Port of New York Authority securities in which public officers, banks and others may legally invest funds, and which may be deposited as security with public officers and agencies.

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

Bonds of Port Authority as legal securities.

1. General and refunding bonds of the Port of New York Authority of the issue established by the resolution of the Port of New York Authority,

adopted March eighteenth, one thousand nine hundred and thirty-five, and amended March twenty-fifth, one thousand nine hundred and thirty-five (whether of series heretofore or hereafter established, and whether heretofore or hereafter issued), are hereby made securities in which all State and municipal officers and bodies, all banks, bankers, trust companies, savings banks, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all administrators, executors, guardians, trustees and other fiduciaries, and all other persons whatsoever, who are now or may hereafter be authorized to invest in bonds or other obligations of the State, may properly and legally invest any funds, including capital, belonging to them or within their control; and said obligations are hereby made securities which may properly and legally be deposited with and shall be received by any State or municipal officer or agency for any purpose for which the deposit of bonds or other obligations of this State is now or may hereafter be authorized.

Investment purposes.

2. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 84

AN ACT to amend an act entitled "An act concerning municipalities," approved March twenty-seventh, nineteen hundred and seventeen.

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

Section 5A added.

1. An act entitled "An act concerning municipalities," approved March twenty-seventh, nineteen hundred and seventeen, is hereby amended by inserting after section five of article sixteen a new section to be numbered 5A as follows:

Member of police force may appeal conviction.

5A. Any member of any police department in any municipality in this State which has not adopted the provisions of an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities and providing for a civil service commission and defining its powers and duties," approved April tenth, one thousand nine hundred and eight, who has been convicted of any violation of any of the rules or regulations of said department by the official or board empowered to try members of such police department in such municipality, may appeal such conviction to the court of common pleas of the

Notice given.

county in which such municipality is situated. Such appeal shall be taken by giving written notice thereof to the officer or board convicting the member of the police department within ten days after notice of such conviction is given to the member convicted. Within ten days after giving notice of

Grounds of appeal.

appeal, the appellant shall file with the court of common pleas a petition setting forth that such appeal has been taken and the grounds upon which

Copy of record furnished court.

it is based. The court of common pleas shall thereupon by order direct the officer or board making said conviction to send a copy of the record of such

conviction, including the rule or regulation violated and the charge or charges upon which the appellant was tried, to said court by a day to be fixed and on such day, or thereafter, said court of common pleas shall retry said charge or charges de novo and shall either affirm or reverse said conviction. The said court may order the appellant to be returned to any office or position from which he may have been removed under such conviction and that he be restored to all things he may have lost thereby, and may make such other order as the court shall deem proper under the circumstances. Each party to the appeal shall have the usual right to subpœna witnesses and the procedure for said trial shall be the same as in other trials in the court of common pleas.

Retrial.

Restoration to position.

Witnesses.

Procedure.

2. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 85

AN ACT to repeal an act entitled "An act to amend an act entitled 'An act concerning municipalities,' approved March twenty-seventh, nineteen hundred and seventeen."

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

1. An act entitled "An act to amend an act entitled 'An act concerning municipalities,' approved February thirteenth, one thousand nine hundred and thirty-five," be and the same is hereby repealed.

Chap. 29, P. L. 1935, repealed.

2. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 86

A SUPPLEMENT to an act entitled "An act to establish a State highway system, and to provide for the improvement, betterment, reconstruction, resurfacing, maintenance, repair and regulation of the use thereof" (Revision of 1927), approved March thirtieth, one thousand nine hundred and twenty-seven.

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

Route 52 to be built.

1. The following road and extension of road to be known as Route 52 is hereby added to the roads or routes forming part of the highway system of this State, to wit:

Course of route.

Route No. 52. Beginning at the traffic circle in the city of Somers Point, in the county of Atlantic, the intersection of the Somers Point and Ocean City highway, with the Somers Point-Mays Landing river road, thence extending along said Somers Point-Mays Landing river road through Scullville, English Creek, Catawba, Thompsontown and Gravelly Run, to the Sugar Hill bridge spanning Babcocks creek, in Mays Landing, thence across said bridge and the public park along the various courses of the extension of the Somers Point-Mays Landing river road to the intersection with Routes 48-50 near the bridge crossing the Great Egg Harbor river.

Provision for construction and payment.

2. Said road and extension of road shall be improved and reconstructed as soon as practicable, and shall be reconstructed, improved, paid for and maintained, as other roads in the State highway system are now reconstructed, improved, paid for and maintained.

3. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 87

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

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

Section 1 amended.

1. Amend section one of the act to which this act is an amendment so that it shall read as follows:

Limit amount of bonds for school districts.

1. On and after the passage of this act it shall be unlawful for the board of education of any school district, which operates under the provisions of article VII of the act to which this act is a supplement to authorize the issuance of bonds, which together with the bonds theretofore issued (and not redeemed) less sinking funds held for the payment of same (which shall be known as the net debt), shall exceed six per centum (6%) of the average of the last three assessed valuations of real property (including improvements) of the municipality or municipalities included in the school district as shown by the last three published abstracts of ratables of such municipality or municipalities; *provided,* that the limitations imposed in this section shall not affect or apply to bonds heretofore or hereafter issued by any regional board of education; *provided, further,* that nothing contained in this act shall apply to or affect or limit the issuance of bonds by any board of education for the purpose of refunding outstanding bonds heretofore or hereafter issued by such board of education.

Proviso.

Proviso.

Section 3 amended.

2. Amend section three of the act to which this act is an amendment so that it shall read as follows:

Limits of regional boards.

3. A regional board of education may in any event issue bonds not exceeding four per centum (4%) of the total of the average of the last three assessed valuations of real property (including improvements) of the municipalities comprising the school districts which constitute the regional district but in such four per centum (4%) shall be included indebtedness outstanding. If however such regional board of education shall desire to issue bonds in excess of said four per centum (4%) there shall first be used in making up the amount determined to be raised by said regional board of education in excess of said four per centum (4%), the unused borrowing power, first, of the constituent school districts making up said regional school district, as provided in section one hereof. If such excess cannot be made up in one or in all of said constituent school districts, then the unused borrowing power of the municipalities comprising such regional school district may be used; *provided,* in case the borrowing power of the municipality is used, there shall be placed upon the notice to the voters of the constituent districts the applicable financial data as prescribed by section two for districts coextensive with a single municipality which proposes to exceed the six per centum (6%) limitation. If after using the unused borrowing power, first, of the several school districts as herein mentioned and, secondly, of the several municipalities comprising said school districts, as herein mentioned, there be not sufficient unused borrowing power to make up the sum determined to be raised by such regional board of education, then in such event no bonds shall be issued by any such regional board of education.

Section 4 amended.

3. Amend section four of the act to which this act is an amendment so that it shall read as follows:

Supplemental debt statement compiled for board.

4. The chief financial officer of any municipality of a coextensive school district or the chief financial

officers of the municipalities within the boundaries of a regional district, as the case may be, where the board of education proposes to incur indebtedness and issue bonds under section two hereof, shall within five days after receipt of the resolution by the board of education of said school district requesting same, compile and swear to a supplemental debt statement and deliver it to such board of education. Such statement shall be presumed to be accurate and after the issuance of any obligation in reliance, thereof, the correctness and sufficiency of such debt statement shall not be contested in any suit, action or proceeding relating to the validity of such obligations as pertain to the net indebtedness of the municipality.

Statement presumed accurate.

4. Amend section five of the act to which this act is an amendment so that it shall read as follows:

Section 5 amended.

5. "Supplemental debt statement" as used in this act shall be interpreted to be the statement provided in article VIII of chapter seventy-seven, pamphlet laws of one thousand nine hundred and thirty-five, with the exception that from such debt statement there shall be deducted the proportional share chargeable to the school district of such municipality bonds issued and unpaid of a regional board of education to the amount of four per centum (4%) of the average of the last three years assessed valuations of real property (including improvements), as shown by the published abstracts of ratables of such municipalities.

Supplemental debt statement defined.

5. Add section six to read as follows:

Section 6 added.

6. Any school district which prior to the enactment of this act, or prior to the enactment of the act of which this act is amendatory, authorized the issuance of school bonds, may, notwithstanding the enactment of this act or the enactment of the act of which this act is amendatory, issue such school bonds as if this act or the act of which it is amendatory has not been enacted.

Issuing bonds.

Section 7 added.

6. Add section seven to read as follows:

Validity of act.

7. If any one or more sections, subsections, sentences or parts of this act shall for any reason be questioned in any court and shall be adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions thereof, but shall be confined in its operation to the specific provision so held unconstitutional or invalid.

7. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 88

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

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

Validating sale, notwithstanding failure to complete proceedings.

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 invalid by reason of the omission or failure of a foreign executor or administrator in prosecuting any suit to foreclose a mortgage held by a decedent resident at the time of his death in said foreign State, to file first with the register of the prerogative Court an exemplified copy of the letters testamentary or of administration that may have been granted in the domicile of said decedent, or any other irregularity or defect in said foreclosure proceeding resulting from said omission, but the purchaser or purchasers of said lands.

tenements, hereditaments, or other real estate, having paid the price therefor, and having received his, her or their deed therefor, and his, her or their heirs, successors, or assigns shall be deemed to have as good and complete title thereto as if said exemplified copy of said letters testamentary or of administration had been first filed with the register of the Prerogative Court, before instituting said foreclosure proceeding; *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 any proceedings in connection therewith.

Valid title.

Proviso.

2. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 89

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

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

1. Each board of education in this State shall ascertain what children, if any, there are in the public schools who are three years or more below the normal. In each school district in this State in which there are ten or more children three years or more below normal, the board of education thereof shall establish a special class or classes for their instruction, no class, however, to contain more

Ascertain subnormal children.

Special classes.

Special classes for deaf and blind.

than fifteen children. In each school district in this State where there are five or more blind or near blind or ten or more deaf or hard of hearing children who are not cared for, or who cannot be cared for better in an existing institution, or who do not require institutional care, a special class or classes shall be organized for their education, no such class, however, to contain more than ten pupils.

Special classes for physically handicapped children.

The board of education of every school district in this State shall provide special equipment and facilities adapted to the accommodation, care, physical restoration, and instruction of children of school age who are physically handicapped to such an extent, or who possess such chronic organic defects, diseases, or bodily deformities that they cannot, in the opinion of an orthopedic surgeon of recognized standing or of the director of medical inspection or of the medical inspector of the school district, be properly accommodated and instructed in the classrooms regularly or usually provided; such special facilities shall include, when recommended or approved by the Commissioner of Education, (a) home-teaching, bedside instruction, and transportation, (b) the payment of tuition in and transportation to (a) special classes for physically handicapped children, or maintenance while being away from home to attend a special class, in another school district, and (c) scholarships in vocational and technical schools; *provided,* that not less than five hours of individual home or bedside teaching shall be given each week and be considered equal to one school week's work in special classes, or the regular school classes; if there are eight or more crippled children in any district, the board of education thereof shall establish a special class or classes for their proper and adequate accommodation and instruction; *provided,* that no class shall contain more pupils than shall be approved by the Commissioner of Education; *and provided, further,* that the board of education of any district may, by arrangement with the board

Special facilities provided.

Proviso.

Proviso.

Proviso

of education of another school district in this State, provide for the accommodation and instruction of such crippled or physically handicapped children in the special class or classes of such other districts. Boards of education with the approval of the Commissioner of Education may establish special classes in hospitals, convalescent homes and other institutions, when eight or more physically handicapped children are available for such instruction. County and State moneys shall be available for such classes also in the same manner as provided by law for those special classes in the regular public schools. It shall be the duty of every board of education to make a register of physically handicapped children from birth to twenty-one years of age residing in the district, specifying names, addresses and ages, as shall be required by the Commissioner of Education. Copies of such lists shall be forwarded at least annually to the Commissioner of Education who in turn shall furnish copies of such State register to the Commission for the Rehabilitation of Physically Handicapped Persons. The medical examiner of the district shall examine the children in special classes as often as necessary and proper and may co-operate in this service with the said Rehabilitation Commission and local orthopedic surgeons.

Classes in homes, hospitals.

Provision for funds.

Registration.

Lists furnished.

Examination by physician.

2. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 90

AN ACT to amend and change the title and body of an act entitled "An act to relieve and prevent unemployment in the building trades and in the durable goods industries and associated industries by providing for the making by savings banks, banks, banking institutions, trust companies, personal finance companies, mortgage companies, installment lending companies, and other such financial institutions, of loans and advances of credit and purchases of obligations representing loans and advances of credits, eligible for insurance under the National Housing Act, and by providing for the Insurance of mortgages under the National Housing Act and the purchase of obligations of national mortgage associations under the National Housing Act, by savings banks, banks, banking institutions, trust companies, insurance companies, and fiduciaries," approved February fifth, one thousand nine hundred and thirty-five.

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

Title amended.

1. An act entitled "An act to relieve and prevent unemployment in the building trades and in the durable goods industries and associated industries by providing for the making by savings banks, banks, banking institutions, trust companies, personal finance companies, mortgage companies, installment lending companies, and other such financial institutions, of loans and advances of credit and purchases of obligations representing loans and advances of credit, eligible for insurance under the National Housing Act, and by providing for

the insurance of mortgages under the National Housing Act and the purchase of obligations of national mortgage associations under the National Housing Act, by savings banks, banks, banking institutions, trust companies, insurance companies, and fiduciaries," approved February fifth, one thousand nine hundred and thirty-five, be and the same is hereby changed, amended and broadened in order to clarify the provisions thereof, and henceforth shall read as follows:

New title.

An act to relieve and prevent unemployment in the building trades and in the durable goods industries and associated industries by providing for the making by savings banks, banks, banking institutions, trust companies, personal finance companies, mortgage companies, installment lending companies, and other such financial institutions, of loans and advances of credit and purchases of obligations representing loans and advances of credit, eligible for insurance under the National Housing Act, and by providing for the insurance of mortgages under the National Housing Act and the purchase of obligations of national mortgage associations under the National Housing Act, by savings banks, banks, banking institutions, trust companies, insurance companies and fiduciaries, permitting such institutions to invest in such insured obligations, and in any part of an issue thereof.

Section 1 amended.

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

Authorized to make loans.

1. Savings banks, banks, banking institutions, trust companies, personal finance companies, mortgage companies, installment lending companies, and other such financial institutions organized under any general or special law of this State which are approved by the Federal Housing Administrator as eligible for credit insurance, are authorized to make loans and advances of credit and purchase obligations representing loans and

advances of credit as are eligible for insurance by the Federal Housing Administrator and to obtain such insurance.

Section 2 amended.

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

Banks, etc., authorized to:

2. Savings banks, banks, banking institutions, trust companies, mortgage companies and insurance companies organized under any general or special law of this State, and executors, administrators, trustees, guardians and other fiduciaries are authorized:

Make mortgage loans;

(a) to make such real estate mortgage loans as the Federal Housing Administrator insures or makes a commitment to insure and to invest in, purchase or otherwise acquire, own or hold, mortgage notes or bonds so insured;

To insure mortgages;

(b) to cause such mortgage securities to be and be kept insured by the Federal Housing Administrator and to pay for and receive the benefits of such insurance;

Invest in other obligations.

(c) to invest in, purchase or otherwise acquire, own and hold notes, bonds, debentures, capital stock, or other such obligations of any national mortgage association provided the issuance of such notes, bonds, debentures, capital stock, or other such obligations has been approved by the Federal Housing Administrator. Nothing in this act contained shall be construed to empower any fiduciary to make any investment or commitment pursuant to subdivision (c) of this section.

Section 2 (a) added.

4. A new section to be entitled section 2 (a) shall be added to the act to which this act is an amendment, which shall immediately follow section two which shall read as follows:

Insured bonds and mortgages as collateral.

2 (a) Wherever, by statute of this State, collateral is required as security for the deposit of public or other funds; or deposits are required to be made with any public official or department; or an investment of capital or surplus, or a reserve or other fund, is required to be maintained

consisting of designated securities, mortgage loans and bonds insured by the Federal Housing Administrator and debentures issued by the Federal Housing Administrator shall be eligible for such purposes.

Section 3 amended.

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

Interest laws not applicable.

3. No law of this State prescribing or limiting interest rates upon loans, discounts or advances of credit or upon obligations representing loans and advances of credit, shall be deemed to apply to loans, discounts, advances of credit or obligations representing loans and advances of credit made or purchased or discounted pursuant to section one of this act.

Section 4 amended.

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

Laws relative to nature, amount, etc., of loans not to apply.

4. No law of this State prescribing the nature, amount or form of security or requiring security upon which loans or investments may be made or prescribing or limiting the period for which loans or investments may be made or prescribing or limiting interest rates upon loans or investments shall be deemed to apply to loans, investments, purchases, or other acquisitions made pursuant to section two (a), (b), and (c) of this act; *provided, however,* that nothing in section two of this act contained shall be deemed to authorize any such savings bank not otherwise authorized by law to make any mortgage loan upon real property not situated in this State; *and provided, however,* that nothing in this act contained shall increase the aggregate amount which any corporation specified in section two of this act, is authorized to invest or have invested in mortgages upon real property.

Proviso.

Proviso.

7. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 91

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

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

Additional powers.

1. In addition to the powers conferred by the provisions of the act to which this act is a supplement, the said Board of Commerce and Navigation are hereby authorized and empowered to provide for the erection of shore facilities, including piers, docks, wharfage, grading, fill, piling and dredging incidental to the construction of a harbor of refuge in Sandy Hook bay off Atlantic Highlands, New Jersey.

Appropriation.

2. There is hereby appropriated and directed to be paid out of the treasury of the State of New Jersey the sum or sums not to exceed in the aggregate the sum of one hundred and fifty thousand dollars ($150,000.00), when included partly or wholly in the annual appropriation bill.

Federal aid.

3. Such appropriation, however, shall not be available until such time as the Federal government shall have appropriated the sum of two hundred and forty-three thousand seven hundred and fifty dollars ($243,750.00) for the erection of a breakwater in Sandy Hook bay, off Atlantic Highlands, New Jersey, the total cost of which is not less than three hundred and twenty-five thousand dollars ($325,000.00).

4. Whenever the Federal government shall signify to the Board of Commerce and Navigation that said moneys are available, the sum hereby appropriated shall be available when included wholly or partly in the annual appropriation bill. Money available.

5. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 92

A SUPPLEMENT to an act entitled "An act concerning the charitable, correctional, reformatory and penal institutions, boards and commissions, located and conducted in this State, which are supported in whole or in part from county, municipal or State funds," approved February twenty-eighth, one thousand nine hundred and eighteen.

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

1. The superintendent or chief executive officer of the several State and county institutions established and maintained for the care and treatment of mental diseases, pursuant to the provisions of the act to which this act is a supplement, and the amendments and supplements thereto, are hereby empowered to establish and maintain a system of identification and are further empowered to cooperate with municipal, county, State and Federal governmental agencies to the end that such system may be permitted to function with all possible efficiency and latitude. The identification records maintained shall include, among other accepted identification data, the finger-print record of each patient now receiving, or who shall in the future receive, treatment in the several institutions coming within the purview of this act. Empowered to make identification records. Finger-printing.

Records not public.

2. The identification records hereinbefore established shall not be public records in the sense that they are open to public inspection, but shall only be made available to accredited county, State or Federal officials engaged in crime enforcement upon proper application to the Commissioner of Institutions and Agencies.

3. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 93

AN ACT to enable State institutions and agencies to accept gifts, legacies and bequests, and further empowering the chief executive officer thereof to execute a refunding bond and release to the executors of the estate.

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

Institutions empowered to receive gifts, etc.

1. The several institutions and agencies of the State of New Jersey coming within the jurisdiction of the New Jersey State Board of Control of Institutions and Agencies are hereby authorized and empowered to accept gifts, legacies and bequests made to such institutions and agencies and are further empowered to utilize same in the manner set forth in the will or last testament wherein provision is made therefor; *provided, however,* that no use shall be put to any such gift, legacy or bequest which is inconsistent with any of the laws of this State establishing, creating or regulating the management of any such institution or agency.

Proviso.

Refunding bond.

2. The chief executive officer of any institution or agency named as legatee shall be and is hereby empowered to execute a refunding bond and release to the executors of the estate from which the gift, legacy or bequest is to be received.

3. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 94

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

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

Power to arrest by officers from other states.

1. Any member of a duly organized State, county, or municipal peace unit of another State of the United States who enters this State in fresh pursuit, and continues within this State in such fresh pursuit, of a person in order to arrest him on the ground that he is believed to have committed a felony in such other State, shall have the same authority to arrest and hold such person in custody, as has any member of any duly organized State, county or municipal peace unit of this State, to arrest and hold in custody a person on the ground that he is believed to have committed a felony in this State.

Hearing before magistrate.

Commitment.

2. If an arrest is made in this State by an officer of another State in accordance with the provisions of section one of this act he shall without unnecessary delay take the person arrested before a neighboring magistrate, who shall conduct a hearing for the purpose of determining the lawfulness of the arrest. If the magistrate determines that the arrest was lawful he shall commit the person arrested to await for a reasonable time the issuance of an extradition warrant by the Governor of this State or admit him to bail for such purpose. If the magistrate determines that the arrest was unlawful he shall discharge the person arrested.

Legality of arrest.

3. Section one of this act shall not be construed so as to make unlawful any arrest in this State which would otherwise be lawful.

"State." 4. For the purpose of this act the word "State" shall include the District of Columbia.

"Fresh pursuit" defined. 5. (a) The term "fresh pursuit" as used in this act shall include fresh pursuit as defined by the common law, and also the pursuit of a person who has committed a felony or who is reasonably suspected of having committed a felony. It shall also include the pursuit of a person suspected of having committed a supposed felony, though no felony has actually been committed, if there is reasonable ground for believing that a felony has been committed. Fresh pursuit as used herein shall not necessarily imply instant pursuit, but pursuit without unreasonable delay.

"Felony." (b) The term "felony" as used in this act shall include high misdemeanor.

Other states notified. 6. Upon the passage and approval by the Governor of this act it shall be the duty of the Secretary of State to certify a copy of this act to the Executive Department of each of the States of the United States.

Constitutionality. 7. If any part of this act is for any reason declared void, it is declared to be the intent of this act that such invalidity shall not affect the validity of the remaining portions of this act.

Application of act. 8. This act may be cited as the uniform act on fresh pursuit. The provisions of this act shall be applicable only to such officers of a State which has enacted a statute similar to the provisions hereof, and this act shall be so interpreted and construed as to effectuate the general purpose of making uniform the laws of the States which enact it.

9. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 95

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

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

1. Amend section thirty-seven of the act to which this is an amendment so that it shall read as follows: Section 37 amended.

1. The State appropriation and the State school tax shall not be apportioned in any year to any district which shall not have maintained a public school for at least nine calendar months and the schools shall be open not fewer than one hundred and eighty days during the preceding school year; *provided,* that the Commissioner of Education may, for good cause shown, remit said penalty. State school tax not to be apportioned. Proviso.

2. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 96

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

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

Method of distributing Federal aid.

1. Whenever moneys have been made available in any manner from any fund or funds of the United States for general educational purposes, such moneys shall be distributed in the manner set forth in this section until such time as an act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," approved May twenty-first, nineteen hundred and thirty-five (Chapter 224, P. L. 1935), shall become effective. When this latter act becomes effective, moneys received from the Federal government shall be distributed in addition to those made available under the above described act in such manner as is determined by the Legislature. Prior to such time annual allotments made to the State from Federal funds shall be distributed upon the warrant of the Commissioner of Education to the treasurers of the several counties of the State on the basis of the aggregate number of days' attendance of all pupils attending the public schools during the year preceding that for which said apportionments shall be made. The county treasurer of each county shall receive and

Basis of distribution.

Payments by county treasurers.

hold in trust such moneys and shall pay the same to the custodian of school moneys of each school district of his county on the orders of the county superintendent of schools in the ratio which the aggregate number of days' attendance of all pupils of that district attending the public schools during the year preceding that for which said apportionments shall be made bears to the total days' attendance of the county.

2. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 97

AN ACT authorizing municipalities of this State to take title by conveyance to free and clear unencumbered vacant land in settlement of past due taxes, assessments, and other municipal charges levied and assessed by any municipality of this State.

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

1. It shall be lawful for the governing body of any municipality in this State to compromise, settle and adjust any past due municipal charges as hereinafter defined, by accepting in full settlement thereof, a conveyance to the municipality of free and clear unencumbered vacant land, against which said municipal charges have been levied and assessed, said conveyance to cover an entire parcel in arrears or so much thereof as to be worth acceptance by the municipality in settlement of such municipal charges past due; *provided, however,* that the purchase price fixed for said conveyance shall be not less than the total amount due said

Authorized to take title.

Proviso.

municipality with interest at six per centum (6%) per annum to the time of the passing of the title, plus any and all charges for tax sales or otherwise, covering said property proposed to be conveyed and all other property of such owner on which taxes, assessments and other municipal charges are in arrears; *and provided, further,* that at the time of such conveyance to said municipality, said property shall be free and clear of all liens, rights and encumbrances, other than those existing in favor of such municipality by reason of such municipal charges.

Proviso.

Procedure for taking title.

2. Such settlement, being agreed to between the owner and the municipality, subject to the provisions of this act, the method of procedure shall be for the governing body of such municipality to introduce a resolution at a regular meeting, setting forth the amount of past due municipal charges, and proposed settlement, adjustment by conveyance as aforesaid, and specifying the property proposed to be conveyed, which resolution shall fix a time for hearing thereon before the governing body of such municipality, so that an advertisement of such hearing may be made at least ten days prior to such hearing. Said advertisement of hearing shall be published once in a newspaper published in said municipality or county wherein the municipality is located. If favorable action is had upon said resolution and upon said hearing, a further resolution shall be introduced and if passed by such governing body, same shall confirm the transaction as proposed upon the submission of the entire matter to the Funding Commission as established by paragraph six hundred fifty-seven, chapter seventy-seven, of the laws of one thousand nine hundred and thirty-five, known as "the Local Bond Act," for its approval or disapproval. With the papers presented to the Funding Commission shall be an appraisal of the property proposed to be conveyed, by a disinterested and licensed real estate agent, under oath, showing

Transaction confirmed by resolution.

Appraisal.

value of such property and its possibilities as an asset, if acquired by the municipality.

Authorized to close transaction.

3. The municipality is hereby authorized to close the transaction by the acceptance of a deed of conveyance to the municipality of such vacant land, which must be free and clear of all liens, other than those existing in favor of such municipality by reason of such municipal charges, upon the approval, after advertisement and hearing as aforesaid, of the Funding Commission.

When method not to be used.

4. This method of adjustment and settlement of past due taxes, assessments and other municipal charges, shall not be undertaken wherein there has heretofore been a tax sale or lien for taxes created to any purchaser, except said municipality, and wherein such purchaser holds a valid tax sale certificate covering the land.

Not to be at variance with State laws.

5. These proceedings shall not be undertaken if at variance in any way with the laws of this State in such case made and provided.

Owner to pay all expenses.

6. The owner of the land proposed to be conveyed to any municipality under this act shall pay all expenses in connection with obtaining a free and clear title unencumbered by any lien, rights or charges against the same, and the municipality in payment for said deed, shall credit such owner with payment on account of any past due taxes, assessments and other municipal charges on property conveyed, and any surplus shall be credited in payment of past due taxes, assessments and other municipal charges on other property held by such owner located in the municipality. The municipality paying no cash in the transaction for the deed.

Municipal charge defined

7. The words "municipal charges" as used herein shall include all taxes, assessments and other municipal charges, together with all interest and penalties thereon, and including all advertising fees and costs of sale in the event that the property shall have been purchased by said municipality under any sale made pursuant to law to satisfy liens for past due municipal charges.

Construing.

8. The provisions of this act shall be construed to be additional legislation on the subject matter herein set forth and not as a revision or repeal of any other act relating to the same subject matter.

9. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 98

AN ACT to amend an act entitled "An act providing for the appointment of a commission to examine into the subject of the acquisition, establishment and maintenance of a State veterans' cemetery or cemeteries, and to define its powers and duties," approved June twenty-sixth, one thousand nine hundred and thirty-six.

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

Section 2 amended.

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

Term.

Duties.

Report.

2. The commission shall serve without compensation for a period of not more than three years from the passage of this act. Its duties and powers shall be limited to examination and inquiry; its findings and recommendations to be submitted to the Governor for transmission to the Legislature on or before the first day of February, one thousand nine hundred and thirty-eight.

2. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 99

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

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

Section 129 amended.

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

Commissions allowed upon settlement of accounts by executors, etc.

129. On the settlement of the accounts of executors, administrators, guardians or trustees under a will, their commissions, over and above their actual expenses, shall not exceed the following rates: on all sums that come into their hands, not exceeding ten thousand dollars, five per centum; if over ten thousand dollars and not exceeding twenty thousand dollars, four per centum on such excess; if over twenty thousand dollars and not exceeding fifty thousand dollars, three per centum on such excess; *provided,* that the commissions of executors, administrators and trustees in any estate where the receipts exceed the sum of fifty thousand dollars shall be determined by the orphans' court on the final settlement of their accounts according to the actual services rendered, not exceeding five per centum on all sums which come into their hands.

Proviso.

2. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 100

AN ACT to amend an act entitled "A further supplement to an act entitled 'An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this State,' approved April third, one thousand nine hundred and two," which said supplement was approved March eighteenth, one thousand nine hundred thirteen.

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

Section 1 amended.

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

Not to make discriminatory rates.

1. No corporation, firm, association, individual or aggregation of individuals, hereinafter called "insurer," doing the business of insurance within this State shall fix or make any rate or schedule of rates, or charge, demand, collect or receive, directly or indirectly, or through any special rate, tariff, drawback, rebate, concession, device or subterfuge, a rate for insurance, which discriminates unfairly between risks within this State of essentially the same hazard, nor shall any insurer against the hazards of fire as written on or insured under the standard form of fire insurance policy prescribed by the laws of this State and any additional hazard when written on or insured under a supplemental contract approved and authorized by the Commissioner of Banking and Insurance under authority of law to be used in connection with such standard fire insurance policy, or legal liability of employers make any such insurance within this State except in accordance with general basis schedules, embodying basis rates, charges, credits, terms, conditions, permits, standards and other data necessary to the

computation of equitable rates and rules of practice for such insurance, which general basis schedules, embodying basis rates, charges, credits, terms, conditions, permits, standards, and other data used for the determination of rates shall be filed by such insurer or its agent or expert duly authorized with the Commissioner of Banking and Insurance within three months after this act goes into effect, or with the amendments to such general basis schedules which may be filed with the Commissioner of Banking and Insurance from time to time thereafter. Any one or more of such insurers singly or jointly may employ for the making of such general basis schedules and rates and the filing of the same the services of such experts as it, or they, may deem advisable for such purpose. In order that rates for insurance against the hazards of fire shall be reasonable it shall be unlawful for any such insurer licensed in this State to directly or indirectly pay or allow, or offer or agree to allow, any commission or other compensation or anything of value, in excess of a reasonable amount, to any person for acting as its agent in respect to any class of such insurance, nor to directly or indirectly pay or allow, or offer to agree to allow, any commission or other compensation or anything of value, to any person for acting as its local agent in respect to any class of such insurance, in excess of that offered, paid or allowed to any one of its local agents on such risks in this State. On the written complaint of any insurer or any agent licensed in this State, that there has been any violation of the provisions of this act, or when the commissioner deems it necessary without such complaint, the commissioner shall inquire whether or not there has been any violation of the provisions of this act in the commissions paid or payable on such risks in this State.

Making general basis schedules.

Allowance for agents' commissions

Investigation.

Every such insurer or agent shall, within ten days after written demand therefor, furnish to any person, upon whose property or risk a rate has been made by said insurer, or to his authorized representative, full information as to such rate, and if such

To furnish information on rate.

property or risk be rated by schedule applying particularly to each risk, a copy of such schedule, and shall provide such means as may be approved by the Commissioner of Banking and Insurance whereby any person or persons affected by such rate may be heard on an application for a change in such rate. Whenever it is made to appear to the satisfaction of the Commissioner of Banking and Insurance that any such rate or general basis schedule or amendment thereof discriminates unfairly between risks within this State of essentially the same hazard or that any insurer has made any insurance within this State at any rate not in accordance with the general basis schedule, or amendment thereof filed by it, he may, after a full hearing, either before himself or before any salaried employee of the Department of Banking and Insurance whose report he may adopt, order such discrimination removed, or such rate corrected in accordance with such general basis schedule or amendment thereof; and all such insurers affected thereby shall forthwith comply with such order; nor shall such insurers or any of them remove such discrimination by increasing the rates on any risk, or class of risks affected by such order unless it is made to appear to the satisfaction of the Commissioner of Banking and Insurance that such increase is justifiable.

Order discrimination removed.

Increase in rate shown to be justifiable.

This supplement shall not apply to any contract of life insurance, nor to any contract of insurance upon or in connection with marine or transportation risks or hazards other than contracts for automobile insurance, nor to contracts of insurance upon property or risks located without this State, nor to contracts of title insurance or mortgage guaranty, nor shall the term "legal liability of employers" as used herein be construed to apply to contracts of insurance subject to the provisions of the "employer's liability insurance act," which act was approved March twenty-seventh, nineteen hundred and seventeen, and all supplements thereto and amendments thereof.

Application of act.

2. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 101

AN ACT to amend an act entitled "An act to regulate elections" (Revision of 1930), approved April eighteenth, one thousand nine hundred and thirty, together with amendments thereof and supplements thereto, approved June twenty-second, one thousand nine hundred and thirty-six.

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

1. The designation of the several sections by article in the act of which this act is amendatory are hereby changed and amended so that henceforth the several articles thereof shall be known and designated as Article XXV instead of Article XXVIII, to wit: Article XXVIII changed to XXV.

2. Article XXV, paragraph three hundred and forty-seven, section one, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows: Art. XXV, par. 347, sec. 1 amended.

3. Article XXV, paragraph three hundred and forty-eight, section two, of the act to which this act is an amendment be and the same is hereby amended so as to read as follows: Renumbered.

4. Article XXV, paragraph three hundred and fifty, section four, of the act of which this act is an amendment be and the same is hereby amended so as to read as follows: Art. XXV, par. 350, sec. 4 amended.

5. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 102

AN ACT to amend an act entitled "An act to provide for the protection, welfare of and financial assistance to certain needy persons in the State of New Jersey, providing for the administration thereof and prescribing penalties for the violation thereof," approved May fourth, one thousand nine hundred and thirty-six.

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

Section 2 amended.

1. Section two, definitions, subsection (d) of the act to which this act is amendatory, be and the same is hereby amended to read as follows:

Terms defined:

2. Definitions. The terms hereinafter defined shall, unless otherwise expressly provided, be construed to mean:

State commission;

(a) "State commission" means the State Financial Assistance Commission created under this act;

Overseer of the poor;

(b) "Overseer of the poor" means the person, department or board now administering the poor laws in the municipality, and in a municipality wherein a local assistance board is hereafter appointed means the municipal director of welfare appointed by such board;

Municipal director of welfare;

(c) "Municipal director of welfare" means the person designated by any local assistance board to be its chief executive and administrative officer;

Municipality;

(d) "Municipality" shall include, in meaning, any county, city, borough, township, town, village or municipality governed by an improvement commission;

Welfare house;

(e) "Welfare house" means a place where needy persons are maintained under the superintendence of the county welfare board, and includes, where appropriate, a municipal almshouse in which the board of chosen freeholders has contracted for the maintenance of needy persons;

(f) "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." Public assistance;

(g) "May" shall be construed to be permissive; Use of words.

(h) The masculine noun or pronoun shall include the feminine, and the singular shall include the plural.

2. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 103

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

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

1. The governing body of any municipality other than a county shall have power to issue bonds from time to time for the following purposes: (a) The expenditures and estimated expenditures for the purpose of relieving the poor; (b) the costs and estimated costs of the issuance of the bonds hereby authorized. The words "relief of the poor" in this act shall mean all expenses of relieving the poor, including, but not limited to, direct relief for or payments to poor persons, expenses of administration, supervision, the purchase of materials and supplies and other purposes incidental to poor relief. May issue bonds for relief of poor. Relief of the poor defined.

2. Bonds authorized hereunder shall be known as "emergency relief bonds," may be in any denominations, shall bear interest at a rate not exceeding Emergency relief bonds.

Issuing details.

six per centum (6%) per annum, payable semi-annually, and each issue shall be payable in not more than eight annual installments commencing not more than one year from the date of said bonds, and shall be authorized by an ordinance which shall state the maximum amount of bonds to be issued and maximum rate of interest to be borne by such bonds, and, except as otherwise provided in this act, shall be sold in the manner and mode of procedure prescribed for the sale of bonds in the local bond act, approved March twentieth, one thousand nine hundred thirty-five, constituting chapter seventy-seven of the pamphlet laws of one thousand nine hundred thirty-five. No annual installment shall exceed the amount of the smallest prior annual installment of such issue. Such bonds may be issued notwithstanding any debt or other limitation prescribed by any other law, but the amount of such bonds shall be included in computing the net debt in any supplemental or annual debt statement thereafter made or filed in connection with subsequent borrowing for other purposes. All matters not required to be determined by such ordinance may be determined by subsequent resolutions.

Payment.

Debt limit not a bar.

Temporary notes issued.

The governing body of any municipality which shall have 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 not more than one year from the date of the original note. Such notes may be authorized by resolution.

Maturity.

Security.

3. Such bonds shall be general obligations of such municipality and a tax sufficient in amount to pay the principal of and interest on such bonds shall be levied and collected by such municipality in the year in which the same shall become due.

Recital.

Such bonds may contain a recital that they are issued pursuant to this act and such recital shall be conclusive evidence of their validity and of the regularity of their issuance.

4. The powers conferred by this act shall be in addition to the powers conferred by any other laws, and bonds may be issued hereunder for the purposes herein provided notwithstanding that other laws may provide for the issuance of bonds for like purposes. Additional powers.

5. This act shall take effect immediately and shall become inoperative on March first, one thousand nine hundred and thirty-eight. Act inoperative.

Approved May 29, 1937.

CHAPTER 104

A FURTHER SUPPLEMENT to an act entitled "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and thirty-seven, and regulating the disbursement thereof," approved June twenty-fourth, one thousand nine hundred and thirty-six.

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

1. F. AGRICULTURAL

F 1. AGRICULTURAL EXPERIMENT STATION

There is hereby appropriated to the Agricultural Experiment Station for the purpose of investigation and research as to the causes of Bangs disease and mastitis among cattle of this State the sum of twenty thousand dollars ($20,000.00). Appropriation.

The appropriation hereby named shall be disbursed by the State Treasurer on warrant of the Comptroller of the Treasury pursuant to the provisions of the act to which this act is a further supplement. Disbursement.

2. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 105

AN ACT respecting the foreclosure of mortgages by trustees and fiduciaries.

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

Not necessary to be made parties to suit.

1. It shall not be necessary hereafter to make any cestui que trustent, ward, beneficiary, holder of bonds, certificates, shares or other interests in a mortgage, parties to any suit or proceeding brought by any trustee or fiduciary acting on their behalf to foreclose any mortgage or mortgages in which they may be interested, but any order or decree entered therein shall be as binding and effective as though they had been made parties to such suit or proceeding.

2. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 106

AN ACT to incorporate the borough of Jersey Homesteads, in the county of Monmouth.

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

Borough of Jersey Homesteads created.

1. The inhabitants of that portion of the township of Millstone, in the county of Monmouth, contained within the territorial limits hereinafter set forth, are hereby constituted and declared to be a body politic and corporate, in fact and in law, by the name of borough of Jersey Homesteads and shall be governed by the general laws of this State relating to boroughs.

2. The territorial limits of said borough shall be as follows:

Territorial limits.

Beginning at a point on Robbinsville road and the center line of Assunpink brook, which point bears the co-ordinates N. 502,174.35, E. 2,052,864.72 in the New Jersey Plane Co-ordinate System; thence the following bearings and distances: N. 85°—33′ W., 370.00 feet; N. 76°—13′ W., 218 feet; N. 61°—13′ W., 238.00 feet; N. 80°—13′ W., 596.00 feet; N. 48°—08′ W., 382.65 feet along the center line of Assunpink brook; thence the following bearings and distances: N. 3°—59′ W., 443.52 feet; N. 61°—44′ W., 543.84 feet; N. 43°—34′ W., 219.12 feet; N. 8°—51′ E., 183.48 feet to a point on the center line of Empty Box brook; thence the following bearings and distances along the center line of Empty Box brook to a point: S. 78°—56′ W., 214.00 feet; N. 71°—17′ W., 550.00 feet; S. 47°—29′ W., 170.00 feet; S. 84°—02′ W., 174.00 feet; thence the following bearings and distances to an old stone monument in the Windsor road, 2495.74 feet west of the intersection of the Robbinsville and Windsor roads: N. 63°—51′ W., 370.00 feet; N. 48°—54′ E., 910.00 feet; N. 50°—38′ E., 996.00 feet; N. 61°—56′ E., 594.30 feet; N. 8°—29′—30″ W., 4940.67 feet; thence N. 72°—00′—30″ E., a distance of 1708.84 feet along the line of Windsor road; thence the following bearings and distances to a point in the Robbinsville road: S. 14°—59′—30″ E., 582.12 feet; S. 83°—15′—30″ W., 118.48 feet; S. 11°—04′ W., 221.04 feet; N. 71°—50′ E., 1036.00 feet; thence S. 18°—59′—30″ E., a distance of 683.79 feet along the line of Robbinsville road; thence N. 74°—28′ E., a distance of 965.37 feet to a point on the center line of Rocky brook, thence the following bearings and distances along the center line of Rocky brook to a point: S. 49°—09′ E., 43.32 feet; S. 73°—08′ E., 295.00 feet; S. 70°—24′ E., 150.00 feet; thence N. 19°—36′ E., a distance of 198.00 feet; thence S. 65°—19′ E., a distance of 1320.00 feet; thence S.

7°—31′ E., a distance of 3958.05 feet to a point in the Perrineville road; thence along the line of Perrineville road S. 78°—57′—30″ E., a distance of 1229.91 feet to an old stone monument; thence S. 12°—39′—30″ W., a distance of 700.05 feet; thence S. 75°—48′ E., a distance of 576.31 feet to an old stone monument; thence S. 42°—10′ E. a distance of 469.88 feet; thence S. 70°—30′ E., a distance of 505.88 feet to an old stone monument; thence S. 23°—35′ W., a distance of 830.49 feet; thence S. 6°—40′ E., a distance of 232.35 feet to a point on the center line of Empty Box brook; thence the following bearings and distances along the center line of Empty Box brook to a point S. 86°—28′—30″ W., 101.27 feet; N. 52°—24′ W., 90.00 feet; N. 45°—43′ W., 100.00 feet; N. 65°—57′ W., 102.00 feet; N. 81°—32′ W., 20.30 feet; thence S. 38°—54′—30″ W., a distance of 1512.19 feet; thence S. 48°—55′ W., a distance of 2207.22 feet to a point on the center line of Assunpink brook; thence the following bearings and distances along the center line of Assunpink brook to a point: N. 35°—57′ W., 100.13 feet; N. 81°—36′ W., 255.00 feet; N. 28°—36′ W., 134.00 feet; N. 58°—09′ W., 100.00 feet; N. 79°—30′ W., 578.00 feet; S. 18°—25′ W., 65.00 feet; N. 59°—44′ W., 250.00 feet; N. 34°—59′ W., 160 feet; N. 50°—03′ W., 920.00 feet; N. 50°—03′ W., 110.00 feet; N. 60°—30′ W., 310.00 feet which point bears the co-ordinates N. 501,921.34, E. 2,053,225.16 in the New Jersey Plane Co-ordinate System; thence N. 54°—52′ W., a distance of 440.12 feet to the point of beginning, it being noted that all the aforementioned bearings are computed bearings from an observed magnetic bearing on the last course mentioned.

Mayor and councilmen appointed by Governor.

3. (a) Immediately upon the passage of this act the Governor shall appoint, from the inhabitants of said borough of Jersey Homesteads, a mayor and six councilmen who shall hold office until other officers shall have been duly elected by the voters of said borough at the first regular general election

held following the enactment hereof and shall have qualified as required by law.

Powers and duties of officers.

(b) Following the appointment and qualification of such officers by the Governor, the said officers shall have and perform all of the powers, functions and duties vested in such officers by the laws of this State relating to boroughs.

Appointment of other officers.

(c) The mayor shall nominate, and with the advice and consent of the council, shall appoint all such other officers as may be required for the due administration of the affairs of said borough until the election, appointment and qualification of borough officers at the next general election; such officers so appointed to hold office until the first day of January, one thousand nine hundred and thirty-eight, and until their successors shall be chosen and qualified as required by law.

Term.

4. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 107

AN ACT to validate bonds and notes of municipalities heretofore issued.

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

Validates bonds and notes heretofore issued.

1. All bonds and notes of any municipality heretofore issued and signed by two or more officers thereof are hereby ratified, validated and confirmed as the legal and validly binding obligations of such municipality in accordance with their terms, notwithstanding any defect, omission, or irregularity in the ordinances or resolutions authorizing or purporting to authorize their issuance or in the procedure for the adoption of any such ordinance or resolution, or in any statement, notice, hearing

or other matter required to be made, filed, given, done or performed in connection therewith; *provided,* that such bonds and notes bear interest at a rate or rates not exceeding six per centum (6%) per annum and the municipality received in payment of said bonds and notes not less than par and accrued interest.

Proviso.

2. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 108

AN ACT to validate bonds and notes of municipalities heretofore issued.

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

Proceedings validated.

1. All proceedings by municipalities of this State for the issuance and sale or exchange of bonds pursuant to an act entitled "An act relating to the funding or refunding of outstanding bonds or notes by municipalities," approved June eleventh, one thousand nine hundred and thirty-four, constituting chapter two hundred and thirty-three of the laws of New Jersey of one thousand nine hundred and thirty-four, and amendments thereof or supplements thereto, are hereby ratified, validated and confirmed, and said bonds, if heretofore delivered and paid for, or delivered in exchange for obligations to be funded or refunded by the issuance thereof, in accordance with the terms of ordinances or resolutions heretofore adopted, shall be valid and binding obligations of such municipalities, notwithstanding that said bonds were not so sold or delivered in exchange for obligations to be funded or refunded by the issuance thereof, within the time provided for in section two of said act; *provided,*

Bonds validated.

however, that the ordinance authorizing said bonds was finally passed prior to the first day of January, nineteen hundred and thirty-seven.

2. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 109

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

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

Scholarships to be awarded.

1. There shall be awarded annually in the State Normal Schools and State Teachers Colleges a number of scholarships not to exceed ten per centum (10%) of the number of beginning students accepted for entrance. Such scholarships shall exempt the student from the payment of tuition and laboratory fees throughout the four-year course; *provided,* that the student who has been awarded a scholarship maintains a satisfactory academic record. Vacancies in scholarships in any year shall be filled in accordance with the regulations to be provided as set forth in this act.

Proviso.

Qualifications for scholarships.

2. Students shall be selected for scholarships in the order of excellence as determined by a competitive examination. Only students who have qualified for admission and demonstrate to the satisfaction of the Commissioner of Education their need for financial assistance are eligible to take this competitive examination. The total number of scholarships shall be awarded by counties in the ratio that the

Method of prorating scholarships.

population of the county bears to the total population of the State. Assignment of successful candidates to the various State Normal Schools and State Teachers Colleges shall be made by the Commissioner of Education upon the basis of the courses of study selected under the regulations to be provided as set forth in this act.

Assignment of successful candidates.

3. All rules and regulations necessary to make effective the provisions of this act shall be prescribed by the Commissioner of Education with the approval of the State Board of Education.

Rules and regulations.

4. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 110

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

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

1. Amend section eighty-five of the act to which this act is an amendment so that it shall read as follows:

Section 85 amended.

85. Each board of education created under the provisions of this article shall organize annually by the election of one of its members as president and another as vice-president. The organization meeting shall be held at eight o'clock P. M. on the first Monday in February following the annual meeting. Notice of said organization meeting shall be transmitted by the district clerk to all members

Organization.

Meeting.

Notice.

constituting the new board. Upon the organization of such new board, the term of the retiring members shall immediately expire. A president or vice-president who refuses to perform any duty imposed upon him by this act may be removed by the majority vote of all the members of the board. If said board shall fail to organize by said day, the county superintendent of schools shall appoint, from among said members, a president and a vice-president. In case the office of president or vice-president shall become vacant, the board of education shall, within thirty days thereafter, fill such vacancy for the unexpired term; and if it shall fail to fill said vacancy within thirty days, the county superintendent of schools shall fill such vacancy for the unexpired term. A member of such board of education shall, before entering upon the duties of his office, take and subscribe an oath, before any officer authorized by law to administer oaths, that he possesses the qualifications to be a member of said board prescribed therefor in this article, and that he will faithfully discharge the duties of his said office. Said oath shall be filed with the district clerk of said board.

Terms expire.

Removal of president, etc.

Failure to organize.

Oath.

Oath filed.

2. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 111

AN ACT to authorize the township of Parsippany-Troy Hills, in the county of Morris, to pay a pension to the widow of a former chief of police, John William Callahan.

Preamble. WHEREAS, John William Callahan, a resident of the township of Parsippany-Troy Hills, in the county of Morris and State of New Jersey, died May fourth, one thousand nine hundred and thirty-seven, after efficient and conscientious service to the township of Parsippany-Troy Hills, in the county of Morris, as its chief of police of its township police department; and

Preamble. WHEREAS, The said John William Callahan left him surviving a widow, Gertrude J. Callahan, and three minor children, who were dependent upon the deceased for her and their support; and

Preamble. WHEREAS, The governing body and the inhabitants and citizens of the township of Parsippany-Troy Hills, in the county of Morris, desire to express their deep appreciation for the long and faithful service rendered to the township by the said John William Callahan; therefore,

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

Pensioned. 1. The township of Parsippany-Troy Hills, in the county of Morris, is hereby authorized to grant and empowered to pay to the said Gertrude J. Callahan a pension of not more than twelve hundred dollars ($1,200.00) per annum, which said pension shall be paid in semimonthly installments during the period of her natural life or until she ceases to be a widow.

2. The said township shall provide in its annual budget for the payment of the aforesaid pension, and from the time of the passage of this act until the adoption of its next budget shall pay the said pension hereby granted from any funds available therefor. Provision for funds.

3. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 112

AN ACT authorizing and empowering the State House Commission to sell and dispose of surplus real property of the State situate in the city of Trenton.

WHEREAS, In the year one thousand nine hundred and twenty-one the State of New Jersey did acquire certain real property in the city of Trenton, and heretofore used by the State Purchasing Agent for warehouse purposes; and Preamble.

WHEREAS, The said lands and tenements so acquired are no longer suitable and adequate for the purpose aforesaid; therefore, Preamble.

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

Sale of certain State property.

1. The State House Commission acting for in the name of and on behalf of the State of New Jersey is authorized and empowered to sell and dispose of said lands and tenements which are more particularly described as follows:

Description of property.

All that certain lot, tract or parcel of land and premises with the buildings thereon erected, situate in the city of Trenton, county of Mercer and State of New Jersey, bounded and described as follows: Beginning at a point in the westerly line of Perrine avenue, distant three hundred and five feet measured in a southerly direction along the westerly side of said avenue from the southwesterly corner of Clinton and Perrine avenues; and running from said beginning point in a southerly direction on the westerly side of said Perrine avenue ninety-five feet and which said tract of land herein described extends from said beginning point ninety-five feet in front or width on the said westerly side of Perrine avenue and extending back therefrom in a westerly direction at right angles to said Perrine avenue, the same width (ninety-five feet) for a depth of one hundred feet more or less to the line of lands of the Belvidere division of the Pennsylvania Railroad Company, in rear, being lots 101 and 102 and part of lot 103 as laid down on a map or plan of lots of Daniel P. Forst, deceased, also, lot 100 on said plan the said premises being known as No. 21 to No. 29 Perrine avenue, being the same premises which Louis F. Knecht and Anna M., his wife by deed dated June 18, 1909, and recorded in the office of the clerk of the county of Mercer in volume 316 of Deeds, page 217 &c granted and conveyed unto F. A. Poth and Sons Incorporated in fee.

State House Commission empowered to dispose of property.

2. The State House Commission is authorized and empowered on behalf of the State to sell and dispose of said lands and tenements for cash, to the highest responsible bidder at either public or

private sale, after duly advertising the same, and to execute on behalf of the State of New Jersey an appropriate conveyance therefor. The commission is authorized and empowered to make such rules and regulations as shall effectuate the purposes of this act. The proceeds of the sale herein authorized shall by the State Treasurer be deposited in the general funds of the State. Proceeds.

3. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 113

A SUPPLEMENT to an act entitled "An act to regulate and limit the hours of employment of females in any manufactory, mercantile establishment, in any bakery, laundry or restaurant, in order to safeguard the health of such employees, to provide for its enforcement and the penalty for its violation," approved March twenty-eighth, one thousand nine hundred and twelve.

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

1. In order to protect the health of females employed in manufacturing establishments, bakeries, restaurants and laundries and by providing an adequate period of rest at night, no female shall be employed or permitted to work in any manufacturing establishment, bakery, restaurant or laundry in this State before seven o'clock in the morning or after twelve o'clock in the evening of any day; *provided,* that nothing herein contained shall apply to canneries engaged in the packing of perishable products such as fruits and vegetables or to glass manufacturing establishments and hotel restaurants. Females working at night. Proviso: canneries excepted.

Enforcement of act.

2. It shall be the duty of the Commissioner of Labor, the assistant commissioner or the inspectors, to enforce this act, and they shall have the power to investigate and inspect all establishments coming under the intent and provisions of this act.

Penalty for violation.

3. Any corporation, or the officers or agents thereof, the members or agents of any firm, or any person, who shall violate any of the provisions of this act shall be liable for a first offense to pay a penalty of not less than twenty-five dollars ($25.00) nor more than fifty dollars ($50.00) and for each additional offense to a penalty of not less than fifty dollars ($50.00) nor more than two hundred dollars ($200.00).

Bringing court proceedings.

4. All proceedings brought under the provisions of this act shall be by action of debt in the name of the Commissioner of Labor, to be instituted in any district court of a city or judicial district where the offense was committed, recorders' courts of towns, boroughs or cities where the offense was committed, or before a justice of the peace having due jurisdiction and the first process shall be by summons, which process shall be served on the corporation, person or persons violating the provisions of this act.

Service on corporations.

Service upon a corporation may be made upon the president, vice-president, secretary, or any director, registered agent, or any other officer, and if none of them reside in the county where the offense was committed or cannot be found therein, then said service may be made upon the manager, superintendent, foreman or person in charge of the business where such offense was committed.

Service on persons.

Service of process may be made upon an individual or individuals violating the provisions of this act by serving such individual personally or by leaving a copy thereof at the dwelling house or place of such individual in the presence of some person of the family of the age of fourteen (14) years or more, who shall be informed of the contents thereof, and if the individual violating the provisions of this act be the

owner or operator of the business wherein the offense was committed, and if such owner or operator does not reside in the county where said offense was committed, service of the said process be made upon the manager, superintendent, foreman or person in charge of the said business. It shall be a sufficient compliance with the provisions of this section if, in serving such process, a copy of the said process be served. Such process shall be made returnable not less than five (5) days from the date of such process and shall specify a certain time and place for the appearance of the defendant. All proceedings thereafter shall be the same as in an action of debt in said court; the finding of the court shall be that the defendant has or has not, as the case may be, incurred the penalty claimed in the demand of the plaintiff, and judgment shall be given accordingly; in case an execution shall issue and be returned unsatisfied, the court, on application, after notice to the defendant, may award an execution to take the body of the defendant, if an individual, and in case such a defendant is committed under such an execution, he shall not be discharged under the insolvent laws of the State, but shall only be discharged by the court making the order for the body execution, or one of the justices of the Supreme Court, when such court or justice shall be satisfied that further confinement will not result in the payment of the judgment and costs; all moneys collected under the provisions of this act shall be paid into the treasury of the State of New Jersey.

Copy served.

Return day.

Proceedings.

Finding of court.

Execution.

Discharge.

5. If any portion of this act be invalid or unconstitutional, it shall not affect any other portion of this act.

Validity of act.

6. An act entitled "Supplement to an act entitled 'An act to regulate and limit the hours of employment of females in any manufactory, mercantile establishment, in any bakery, laundry or restaurant, in order to safeguard the health of such employees, to provide for its enforcement and

Chapter 144, P. L., 1923, repealed.

a penalty for its violation,' approved March twenty-first, one thousand nine hundred and twenty-three,'' being chapter one hundred forty-four of the laws of one thousand nine hundred and twenty-three, is hereby repealed.

7. This act shall take effect immediately.

Approved May 29, 1937.

CHAPTER 114

AN ACT to amend an act entitled ''An act providing for a retirement and benevolent fund for the members of the Department of State Police, their families and orphans, and providing a pension for retired or disabled members of the State Police or their families or orphans, and making provisions for a board to handle said fund and to make payments therefrom,'' approved March eighteenth, one thousand nine hundred and twenty-five.

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

Section 1 amended.

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

State police fund.

Retirement.

1. There is hereby established a fund to be known as the State Police Retirement and Benevolent Fund. The superintendent, the deputy superintendent, and any other member of the Department of State Police who has served in said State Police Department for a period of twenty years, and who has reached the age of fifty years, may upon application to the appointing authority, together with a certificate of service and with the approval of the State House Commission be re-

tired and upon such retirement shall receive monthly from the said pension fund an amount equal to three-quarters of the salary received by such member at the time of his said application for retirement; *provided, however,* that no pension shall be in excess of one-half of the salary, including maintenance and allowance of such applicant at the time of his retirement; *and provided, further,* that any applicant for retirement who has reached the age of forty years and who has not less than fifteen years of credited service with the State, and who is suspended, dropped or discharged from his department, shall be eligible for retirement at one-third of his said salary and allowance, but the provisions of this section shall not apply to any member suspended or discharged for any cause or causes which bar him from reappointment.

Pension.

Proviso.

Proviso.

Any person who heretofore has been or who hereafter shall be connected with or be a member of the Department of State Police and who has or shall accept any other office, position or employment in the service of the State, and subsequent thereto has or shall re-enter or be connected with the Department of State Police, shall upon such re-entry be entitled to all of the benefits and provisions of this act as though such person had continued without interruption to be connected with or be a member of the Department of State Police from the date of his original appointment or enlistment; *provided, however,* the provisions of this section shall not apply to any such person unless at the time of his re-entry or subsequent thereto he shall pay into the pension fund the amount which he would have been required to pay had he continued in the service of the State Police.

Reinstatement.

Proviso.

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

Section 2 amended.

2. Any member of said Department of State Police who has heretofore received or who may

Retirement for disability.

hereafter receive permanent disability in the performance of his duty or, having served for a period of not less than ten years, receives a permanent disability from causes other than injuries received in the performance of his duty shall, upon certificate of physician of said department or other physician designated for the purpose by the Superintendent of State Police, be retired upon a pension equal to not less than one-quarter nor more than three-quarters of his salary including maintenance allowance at the time of his retirement.

Retirement for injury or disease.

Where, however, a person being a member of the Department of State Police shall desire to retire by reason of injury or disease, said person shall make application in writing to the Superintendent

Conditions for retirement.

of State Police for such retirement. Said application shall be referred by said superintendent to the State House Commission, whereupon the State House Commission shall call to their assistance the aid of the surgeon or physician representing the State Police Department, and the person making the application may likewise call to his aid a regularly licensed and practicing physician or surgeon. Any member of the State House Commission is authorized to administer oaths to said physician or any other person called with respect to the matter before it, and the commission shall determine, by resolution, whether said person is entitled to the

Medical examination.

benefits of this act. In case the two physicians called as hereinbefore provided fail to agree upon the physical condition of the applicant, then the State House Commission may call a third disinterested, licensed and practicing physician or surgeon, and the determination of a majority of said three physicians, to be personally sworn in the case, shall be reduced to writing and signed by them, and the State House Commission shall consider the same in arriving at their decision.

Section 3 amended.

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

3. The widow or children under the age of sixteen years, or dependent parent or parents of any member of the Department of State Police who shall have heretofore or shall hereafter lose his life in the performance of his duty, or where death results from injury received in the performance of duty, or having served not less than ten years in the Department of State Police shall die from causes other than injuries received in the performance of duty, shall receive a pension equal to one-half of the salary, including maintenance allowance, of such member at the time of his death; *provided,* that in case of a widow and children such pension shall be for the widow and the children and shall be paid to the widow, in case there are three or more children under the age of sixteen years and no widow, the said children shall receive the pension in equal shares until they attain the age of sixteen years, in the case there are two children under the age of sixteen years and no widow, they shall be paid twenty-five dollars per month each until they attain the age of sixteen years, in the case of only one child and no widow, he or she shall be paid the sum of thirty dollars monthly until he or she attains the age of sixteen years; *and provided, further,* that in case there is no widow and no children under the age of sixteen years then such pension shall be paid to the parent or parents dependent upon the deceased member; *and provided, further,* that if any widow or parent entitled to a pension aforesaid remarries, then such pension shall cease and shall not be paid to such widow or her children.

Pension to dependents.

Proviso.

Proviso.

Proviso.

If any member of the Department of State Police, after having been retired, dies, leaving him surviving a widow who was his wife at the time of his retirement, and for five years prior thereto, she shall, so long as she remains unmarried, receive a pension equal to one-half the amount of the employees' annual salary at the time of his retirement.

Pension to widow.

Section 4 amended.

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

Sources of fund.

4. The fund shall be created in the following manner for the purpose of paying such pension, to wit: There shall be deducted from the monthly payroll of each member of the Department of State Police four per centum (4%) of the amount of his salary and such amount shall be turned over to the State Treasurer and shall be credited by him to the account of the State Police Retirement and Benevolent Fund, and that one-eighth of the two per centum (⅛ of 2%) tax collected by the State Tax Commissioner under section sixty-five of chapter one hundred and thirty-four of the laws of one thousand nine hundred and two, as last amended, 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, shall be turned over monthly by the State Tax Commissioner to the State Treasurer to be added to the State Police Retirement and Benevolent Fund.

Payment upon withdrawal from service.

Any person who is a member of the State Police Retirement and Benevolent Fund and who for a period of at least two years has made the payments required to be made to said fund, shall upon the termination of his service, prior to retirement as authorized by this act, be entitled to have and receive from the State Treasurer the total sum of his said payments with interest thereon at the rate of two per centum (2%) per annum.

5. This act shall take effect immediately.

Approved June 1, 1937.

CHAPTER 115

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.

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

Tenure granted.

1. Any member of the Department of State Police who has or shall hereafter serve continuously as such member for a period of five years shall thereafter continue in such membership during good behavior.

Member defined.

2. The term "member" as used in this act shall be taken to mean and include all officers and men of the State Police except the Superintendent, whose term is fixed by law.

3. This act shall take effect immediately.

Approved June 1, 1937.

CHAPTER 116

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

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

Section 1 amended.

1. Amend section one of the act to which this act is an amendment so that it shall read as follows:

Limit amount of bonds for school districts.

1. On and after the passage of this act it shall be unlawful for the board of education of any school district, which operates under the provisions of article VII of the act to which this act is a supplement to authorize the issuance of bonds which together with the bonds theretofore issued (and not redeemed) less sinking funds held for the payment of same (which shall be known as the net debt), shall exceed six per centum (6%) of the average of the last three assessed valuations of real property (including improvements) of the municipality or municipalities included in the school district as shown by the last three published abstracts of ratables of such municipality or municipalities, except that a school district which has or may hereafter have an approved high school may bond not to exceed eight per centum (8%) of the assessed valuations; *provided,* that the limitations imposed in this section shall not affect or apply to bonds heretofore or hereafter issued by any regional board of education; *provided, further,* that nothing contained in this act shall apply to or affect or limit the issuance of bonds by any board

Proviso.

Proviso.

of education for the purpose of refunding outstanding bonds heretofore or hereafter issued by such board of education.

2. Amend section two of the act to which this act is an amendment so that it shall read as follows: Section 2 amended.

2. In event any municipality shall have unused borrowing power as shown by the supplemental debt statement, hereinafter prescribed, in which the coextensive school district is restricted by the limitation imposed by section one hereof and the net debt of such school district together with the bonds proposed to be issued exceeds the limitation fixed by section one hereof, then and in such case the voters of the school district may authorize and the board of education may incur such further indebtedness and issue and sell such bonds in amount exceeding such limitation; *provided,* that it shall be shown that the percentage of net debt of the municipality as shown by such supplemental debt statement, plus the percentage of the net debt (including the bonds proposed to be issued) of the school district computed as provided by section one hereof, shall not exceed thirteen per centum (13%) of the average of the last three published assessed valuations of real property (including improvements) of the municipality, except that the net debt of any municipality coextensive with a school district which has or may hereafter have an approved high school plus the net debt of such school district shall not exceed fifteen per centum (15%); *and provided, further,* where the board of education of such school district shall propose to increase the indebtedness, by issuing bonds of such school district under section two thereof, the board of education shall cause to be clearly and prominently printed as a part of the notice for the meeting of the voters of such school district, as provided by the act to which this act is a supplement, the following form with appropriate figures filled in blank spaces: Referendum to exceed limit. Proviso. Proviso.

NOTICE TO VOTERS

Notice to voters.

(1) Unused borrowing power of the municipality ..... $.....
% of unused borrowing power of the municipality ..... %.....
(2) Unused borrowing power of the school district ..... $.....
% of unused borrowing power of the school district ..... %.....
(3) The amount of bonds to be authorized ..... $.....
% of average valuation such bonds represent ..... %.....
(4) The amount of bonds that will be chargeable to the municipality's borrowing capacity .. $.....
(5) The per centum to be charged against the municipality's borrowing capacity ..... %.....

Section 3 amended.

3. Amend section three of the act to which this act is an amendment so that it shall read as follows:

Limits of regional boards, etc.

3. A regional board of education may in any event issue bonds not exceeding four per centum (4%) of the total of the average of the last three assessed valuations of real property (including improvements) of the municipalities comprising the school district which constitutes the regional district but in such four per centum (4%) shall be included indebtedness outstanding. If however such regional board of education shall desire to issue bonds in excess of said four per centum (4%) there shall first be used in making up the amount determined to be raised by said regional board of education in excess of said four per centum (4%), the unused borrowing power, first, of the constituent school districts making up said regional school district, as provided in section one hereof.

Issuing excess bonds.

If such excess cannot be made up in one or in all of said constituent school districts, then the unused borrowing power of the municipalities comprising such regional school district may be used; *provided,* in case the borrowing power of the municipality is used, there shall be placed upon the notice to the voters of the constituent districts the applicable financial data as prescribed by section two for districts coextensive with a single municipality which proposes to exceed the six per centum (6%) limitation. If after using the unused borrowing power, first, of the several school districts as herein mentioned and, secondly, of the several municipalities comprising said school districts, as herein mentioned, there be not sufficient unused borrowing power to make up the sum determined to be raised by such regional board of education, then in such event no bonds shall be issued by any such regional board of education.

Proviso.

No further issue.

4. Amend section four of the act to which this act is an amendment so that it shall read as follows:

Section 4 amended.

4. The chief financial officer of any municipality of a coextensive school district or the chief financial officers of the municipalities within the boundaries of a regional district, as the case may be, where the board of education proposes to incur indebtedness and issue bonds under section two hereof, shall within five days after receipt of the resolution by the board of education of said school district requesting same, compile and swear to a supplemental debt statement and deliver it to such board of education. Such statement shall be presumed to be accurate and after the issuance of any obligation in reliance thereof, the correctness and sufficiency of such debt statement shall not be contested in any suit, action or proceeding relating to the validity of such obligations as pertain to the net indebtedness of the municipality.

Supplemental debt statement compiled for board.

Statement presumed accurate.

Section 5 amended.

5. Amend section five of the act to which this act is an amendment so that it shall read as follows:

Supplemental debt statement defined.

5. "Supplemental debt statement" as used in this act shall be interpreted to be the statement provided in article VIII of chapter seventy-seven, pamphlet laws of one thousand nine hundred and thirty-five, with the exception that from such debt statement there shall be deducted the proportional share chargeable to the school district of such municipality bonds issued and unpaid of a regional board of education to the amount of four per centum (4%) of the average of the last three years assessed valuations of real property (including improvements) as shown by the published abstracts of ratables of such municipalities.

Section 6 added.

6. Add section six to read as follows:

Otherwise issuing bonds.

6. Any school district which prior to the enactment of this act, or prior to the enactment of the act of which this act is amendatory, authorized the issuance of school bonds, may, notwithstanding the enactment of this act or the enactment of the act of which this act is amendatory, issue such school bonds as if this act or the act of which it is amendatory has not been enacted.

Section 7 added.

7. Add section seven to read as follows:

As to validity of act.

7. If any one or more sections, subsections, sentences or parts of this act shall for any reason be questioned in any court and shall be adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions thereof, but shall be confined in its operation to the specific provision so held unconstitutional or invalid.

8. This act shall take effect immediately.

Approved June 1, 1937.

CHAPTER 117

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

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

Teachers' minimum salary.

1. The minimum salary of any teacher in any school district of this State shall be one hundred dollars per month, for each and every month during the school year, when employed.

Approved June 1, 1937.

CHAPTER 118

AN ACT to amend an act entitled "An act concerning alcoholic beverages," passed December sixth, one thousand nine hundred and thirty-three, approved June twenty-ninth, one thousand nine hundred and thirty-five.

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

Section 11 amended.

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

Class A licenses:

11. Class A licenses shall be subdivided and classified as follows:

Plenary brewery license;

(1) a. Plenary brewery license. The holder of this license shall be entitled, subject to rules and

regulations, to brew any malt alcoholic beverages and to distribute and sell his products to wholesalers and retailers licensed respectively in accordance with this act, and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution, and to maintain a warehouse. The fee for this license shall be four thousand dollars ($4,000.00).

Fee;

Limited brewery license;

(1) b. Limited brewery license. The holder of this license shall be entitled subject to rules and regulations, to brew any malt alcoholic beverages in a quantity dependent upon the following fees and not in excess of three hundred thousand (300,000) barrels of thirty-one (31) fluid gallons capacity per year and to be expressed in said license and to distribute and sell his products to wholesalers and retailers licensed respectively in accordance with this act, and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution, and to maintain a warehouse. The fee for this license shall be graduated as follows: To so brew not more than fifty thousand (50,000) barrels of thirty-one (31) fluid gallons capacity per annum, five hundred dollars ($500.00); to so brew not more than one hundred thousand (100,000) barrels of thirty-one (31) fluid gallons capacity per annum, one thousand dollars ($1,000.00); to so brew not more than two hundred thousand (200,000) barrels of thirty-one (31) fluid gallons capacity per annum, two thousand dollars ($2,000.00); to so brew not more than three hundred thousand (300,000) barrels of thirty-one (31) fluid gallons capacity per annum, three thousand dollars ($3,000.00).

Fee;

Plenary winery license;

(2) a. Plenary winery license. The holder of this license shall be entitled, subject to rules and regulations, to manufacture any fermented wines. and to blend, fortify and treat wines, and to distribute and sell his products to wholesalers, retailers and to churches for religious purposes respec-

tively licensed in accordance with this act, and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution, and to maintain a warehouse. The fee for this license shall be five hundred dollars ($500.00). Fee;

(2) b. Limited winery license. The holder of this license shall be entitled, subject to rules and regulations, to manufacture for sale any naturally fermented wines and fruit juices in a quantity dependent upon the following fees and not in excess of five thousand gallons per year and to be expressed in said license and to distribute and sell his products to wholesalers and retailers respectively licensed in accordance with this act, and to consumers, and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution, and to maintain a warehouse. The fee for this license shall be graduated as follows: To so manufacture between twenty-five hundred (2,500) and five thousand (5,000) gallons per annum, two hundred dollars ($200.00); to so manufacture between one thousand (1,000) and twenty-five hundred (2,500) gallons per annum, one hundred dollars ($100.00); to so manufacture between two hundred (200) and one thousand (1,000) gallons per annum, twenty-five dollars ($25.00); to so manufacture less than two hundred (200) gallons per annum, one dollar ($1.00). Limited winery license; Fee;

(3) a. Plenary distillery license. The holder of this license shall be entitled, subject to rules and regulations, to manufacture any distilled alcoholic beverages and rectify, blend, treat and mix, and to distribute and sell his products to wholesalers and retailers respectively licensed in accordance with this act, and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution, and to maintain a warehouse. The fee for this license shall be seven thousand five hundred dollars ($7,500.00). Plenary distillery license; Fee;

Limited distillery license;

(3) b. Limited distillery license. The holder of this license shall be entitled, subject to rules and regulations, to manufacture, to bottle and to sell any alcoholic beverages distilled from fruit juices and rectify, blend, treat and mix, and to distribute to wholesalers and retailers respectively licensed in accordance with this act, and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution, and to warehouse these products. The fee for this license shall be one thousand dollars ($1,000.00).

Fee;

Supplementary limited distillery license;

(3) c. Supplementary limited distillery license. The holder of this license shall be entitled, subject to rules and regulations, to bottle and rebottle, in a quantity to be expressed in said license, dependent upon the following fees, alcoholic beverages distilled from fruit juices by such holder pursuant to a prior plenary or limited distillery license, and to distribute and sell his products to wholesalers and retailers respectively licensed in accordance with this act, and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution, and to maintain a warehouse. The fee for this license shall be graduated as follows: To so bottle and rebottle not more than five thousand (5,000) wine gallons per annum, one hundred dollars ($100.00); to so bottle and rebottle not more than ten thousand (10,000) wine gallons per annum, two hundred and fifty dollars ($250.00); to so bottle and rebottle without limit as to amount, five hundred dollars ($500.00).

Fee;

Rectifier and blender license;

(4) Rectifier and blender license. The holder of this license shall be entitled, subject to rules and regulations, to rectify, blend, treat and mix distilled alcoholic beverages, and to fortify, blend and treat fermented alcoholic beverages, and prepare mixtures of alcoholic beverages, and to distribute and sell his products to wholesalers and retailers respectively licensed in accordance with this act, and to sell and distribute without this State to any

persons pursuant to the laws of the places of such sale and distribution, and to maintain a warehouse. The fee for this license shall be two thousand five hundred dollars ($2,500.00). Fee.

2. This act shall take effect immediately.

Approved June 1, 1937.

CHAPTER 119

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

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

1. Any person who is, or shall become a member of the Teachers' Pension and Annuity Fund of the State of New Jersey, or any employees' pension fund, and who shall voluntarily authorize a deduction from his fixed annual salary or compensation, or whose salary or compensation shall be fixed and determined by any board of education of any school district in this State, at less than his present fixed salary or compensation, pursuant to any act of the Legislature hereafter enacted, may continue to pay or cause to be paid into such pension fund, the same amount as if he received full salary or compensation, and upon the death or retirement of such member he, or his beneficiary shall be entitled to the same benefits as if he had received his full salary or compensation. May continue payments.

2. This act shall take effect immediately.

Approved June 1, 1937.

CHAPTER 120

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

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

Tenure of school nurses.

1. The services of all full-time school nurses of the public schools in any school district of this State until such full-time school nurses shall have attained the age of sixty-five years shall be during good behavior and efficiency, after the expiration of a period of employment of three consecutive calendar years in that district unless a shorter period is fixed by the employing board; or after employment for three consecutive academic years together with employment at the beginning of the next succeeding academic year; *provided,* that the time any full-time school nurse has served in the district in which he or she is employed at the time that this act shall go into effect shall be counted in determining such period of employment. An academic year shall be interpreted to mean the period between the time school opens in the district after the general summer vacation until the next succeeding summer vacation. No full-time school nurse shall be dismissed or subjected to reduction of salary in said school district except for inefficiency, incapacity, conduct unbecoming a school nurse or other just cause, and after a written charge of the cause or causes shall have been preferred against him or her, signed by the person or persons making the same, and filed with the secretary or clerk of the board of education having

Proviso.

Academic year defined.

Removal.

charge of the school in which the service is being rendered, and after the charge shall have been examined into and found true in fact by said board of education, 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 said school board or not.

Constitutionality.

2. If any one or more sentences or parts of this act shall for any reason be questioned in any court and shall be adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions thereof, but shall be confined in its operation to the specific provision so held unconstitutional or invalid.

3. This act shall take effect immediately.

Approved June 1, 1937.

CHAPTER 121

AN ACT fixing the annual compensation of prison officers, reformatory officers and farmer guards, and providing for the payment of the same.

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

Fixing salaries.

1. From and after the passage of this act all persons employed by the State of New Jersey as prison officers and/or reformatory officers and farmer guards, shall receive annual compensation as fixed in this act.

Schedule.

2. The annual minimum compensation of such officers shall be the sum of eighteen hundred dollars ($1800.00) and the annual minimum compensation of such farmer guards shall be the sum of sixteen hundred dollars ($1600.00) and such officers and farmer guards shall each year thereafter receive an increase of one hundred dollars

($100.00) per annum until the annual compensation of such officers shall reach the sum of twenty-four hundred dollars ($2400.00) and of such farmer guards twenty-two hundred dollars ($2200.00), which shall be the maximum compensation of such officers and farmer guards.

Limiting annual raise.

3. No such officer or farmer guard shall receive an increase in his annual compensation of more than one hundred dollars ($100.00) in any one year, except that from and after the passage of this act no such prison officer and/or reformatory officer shall receive annual compensation of less than eighteen hundred dollars ($1800.00) and no such farmer guard shall receive annual compensation of less than sixteen hundred dollars ($1600.00).

Construing.

4. Nothing in this act contained shall be construed to reduce the annual compensation of any prison officer or reformatory officer or farmer guard now receiving any compensation in excess of the sums fixed by this act. The compensation in this act so fixed shall be paid in the same manner as other State salaries are now paid.

Payment.

5. This act shall take effect immediately.

Approved June 1, 1937.

CHAPTER 122

AN ACT appropriating the sum of one thousand dollars ($1,000.00) toward the payment of the expenses attending the holding of the annual convention of the Veterans of Foreign Wars of the United States, Department of New Jersey, at Wildwood, New Jersey, during the month of June, one thousand nine hundred and thirty-seven, and regulating the disbursement thereof.

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

1. There is hereby appropriated, when included in any annual or supplemental appropriation bill, the sum of one thousand dollars ($1,000.00), toward the payment of the expenses attending the holding of the annual convention of the Veterans of Foreign Wars of the United States, Department of New Jersey, at Wildwood, New Jersey, during the month of June, one thousand nine hundred and thirty-seven, and the reception and entertainment of the veterans who shall be delegates to said convention. Appropriation.

2. All expenditures from the sum hereby appropriated shall be paid out of the treasury of this State on the warrant of the Comptroller on vouchers approved by the Adjutant-General. Disbursement.

3. This act shall take effect immediately.

Approved June 1, 1937.

CHAPTER 123

A SUPPLEMENT to an act entitled "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and thirty-seven, and regulating the disbursement thereof," approved June twenty-fourth, one thousand nine hundred and thirty-six.

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

Supplemental appropriations.

1. The following sums, or so much thereof as may be necessary, be and the same is hereby appropriated out of the State Fund:

STATE PURCHASING DEPARTMENT

Printing

State Purchasing Department.

Additional Legislative printing	$6,725 54	
Additional for printing and binding public documents	12,125 00	
Additional for printing and circulating laws.	12,295 80	
		$31,146 34

Legislature

Additional for indexing Journal and Minutes and other incidental and contingent expenses	10,000 00

STATE HOUSE COMMISSION

State House Commission.

Additional for postage, capitol post office	10,000 00

MANUAL TRAINING AND INDUSTRIAL SCHOOL FOR COLORED YOUTH

Additional for farm, stable and grounds supplies	$1,200 00	
Additional educational supplies	500 00	
Additional current repairs	800 00	
Replacement of horses.	1,500 00	
		4,000 00

Payments under this account to be made pursuant to Chapter 65, Laws of 1909.

ATTORNEY-GENERAL'S DEPARTMENT

Attorney-General's Department.

Additional for compensation of witnesses and disbursements in the conduct of railroad tax litigation to the end of the fiscal year	40,000 00

STATE TAX DEPARTMENT

State Tax Department.

Additional for compensation of witnesses and disbursements in the conduct of railroad tax litigation to the end of the fiscal year	10,000 00

COURT OF CHANCERY

Court of Chancery.

Robinson Supply company for water service for Chancery Chambers in Atlantic City, during a previous fiscal year	285 60

COLONY FOR FEEBLE-MINDED MALES, NEW LISBON

New Lisbon Colony.

Additional for farm, stable and grounds supplies	$4,500 00	
Hospital equipment ...	1,500 00	
		6,000 00

COLONY FOR FEEBLE-MINDED MALES, WOODBINE

Woodbine Colony.	Generating equipment		5,000 00

COMMISSION FOR THE BLIND

Blind.	Maintenance and operation of Summer camp		2,000 00

NORTH JERSEY TRAINING SCHOOL, TOTOWA

Totowa Training School.	Additional for heat, light, power, water, gas and electricity ..	$5,000 00	
	Additional for farm, stable and grounds supplies	3,500 00	
	Additional for vehicular transportation supplies	500 00	
	Replacement of one team of horses	500 00	
			9,500 00

REFORMATORY, ANNANDALE

Annandale Reformatory.	Additional for heat, light, power, water, gas and electricity ..	$2,900 00	
	Additional for farm, stable and grounds supplies	1,000 00	
	Installation of chlorinator	915 00	
			4,815 00

REFORMATORY, RAHWAY

Rahway Reformatory.	Replacement of generator		3,000 00

REFORMATORY FOR WOMEN, CLINTON

Clinton Reformatory.	Alterations to Paddock Hall		1,500 00

SANATORIUM FOR TUBERCULOUS DISEASES

Sanatorium for Tuberculous Diseases.

Additional for heat, light, power, water, gas and electricity ..	$5,000 00	
Purchase of blankets ..	1,000 00	
Drilling new well and purchase of deep well pump	5,000 00	
Installation of elevator cables	700 00	
		11,700 00

STATE HOME FOR BOYS

Home for Boys.

Additional for heat, light, power, water, gas and electricity ..	$5,000 00	
Additional for current repairs	1,500 00	
Hospital equipment ...	3,000 00	
		9,500 00

STATE HOSPITAL, GREYSTONE PARK

State Hospital, Greystone Park.

Additional for salaries and wages	$5,300 00	
Additional for food ...	10,000 00	
Additional for clothing.	5,000 00	
Additional for heat, light, power, water, gas and electricity ...	20,000 00	
Additional for farm, stable and grounds supplies	9,200 00	
Additional for traveling expenses	600 00	
Replacement of two teams of horses	900 00	
Garden Irrigation	2,000 00	
Repairs and overhauling gasoline shovel ..	750 00	

	Canopies over cooking kettles, main kitchen.	2,500 00	
	Water supply	10,000 00	
			66,250 00

STATE HOSPITAL, MARLBORO

State Hospital, Marlboro.	Additional for extraordinary household supplies		2,400 00

STATE HOSPITAL, TRENTON

State Hospital, Trenton.	Removal of stack		800 00

STATE PRISON

State Prison.	Additional for salaries and wages of officers and employees	$3,500 00	
	Additional for heat, light, power, water, gas and electricity ..	4,000 00	
			7,500 00

STATE PRISON FARM, BORDENTOWN

Prison Farm, Bordentown.	Additional for salaries and wages	$2,600 00	
	Additional for heat, light, power, water, gas and electricity ...	5,500 00	
			8,100 00

VILLAGE FOR EPILEPTICS

Village for Epileptics.	Additional for heat, light, power, water, gas and electricity ...	$4,000 00	
	Additional for farm, stable and grounds supplies	1,500 00	
	Replacement of barn roof (Brookview) ...	1,665 00	

Replacement of floors (Moosebrugger)	10,900 00	
Spraying machine	1,275 00	
		19,340 00

VINELAND STATE SCHOOL

Vineland State School.

Additional for farm, stable and grounds supplies	$1,600 00	
Addition to sewage disposal plant	6,000 00	
Pumping system for hospital building	1,200 00	
Compensation award to Randolph Cobianchi .	520 63	
Purchase of additional land	1,100 00	
Colony fence	3,000 00	
Purchase of burial plot.	1,000 00	
Completion of basement, low grade building ..	19,500 00	
		33,920 63

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

Alcoholic Beverage Control.

To Clark and Company for rental of building northeast side of Jellif Avenue and Rose Street, Newark, for storage purposes from June, one thousand nine hundred and thirty-four, to February, one thousand nine hundred and thirty-five, provided said sum is received in full of all claims 1,750 00

ATTORNEY-GENERAL'S DEPARTMENT

Attorney-General's Department.

To Pinkas Fisch, Czarna Fisch and Hennah Fisch of Leipzig, Germany, or their duly authorized attorney, for remuneration for all expenses

incurred in traveling from Germany to the United States for the purpose of giving testimony in the case of the State of New Jersey vs. Bruno Richard Hauptmann	3,500 00
	$302,007 57

2. This act shall take effect immediately.
Approved June 1, 1937.

CHAPTER 124

AN ACT to amend an act entitled "An act concerning alcoholic beverages," passed December sixth, one thousand nine hundred and thirty-three.

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

Section 23 amended.

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

Term of licenses.

Proviso.

23. All licenses shall be for a term of one year from the first day of July in each year; *provided, however,* that all such licenses issued prior to July first, one thousand nine hundred and thirty-four, shall expire at midnight on June thirtieth, one thousand nine hundred and thirty-four; *and*

Proviso.

further provided, that the respective fees for any such license shall be prorated according to the effective date of such license and based on the respective annual fee as in this act provided.

Refund.

Where the license fee deposited with the application exceeds such prorated fee, a refund of the excess shall be made to the licensee. Licenses are

not transferable except as hereinafter provided. A separate license is required for each specific place of business and the operation and effect of every license is confined to the licensed premises. No retail license of any class shall be issued to any holder of manufacturer's or wholesaler's license, and no manufacturer's or wholesaler's license shall be issued to the holder of a retail license of any class. Any person who shall exercise or attempt to exercise, or hold himself out as authorized to exercise, the rights and privileges of a license except the licensee and then only with respect to the licensed premises, shall be guilty of a misdemeanor.

License not transferable. Separate license.

License regulations.

False representation a misdemeanor.

In case of death, bankruptcy, receivership or incompetency of the licensee, or if for any other reason whatsoever the operation of the business covered by the license shall devolve by operation of law upon a person other than the licensee, the commissioner or other issuing authority may, in his or its discretion, extend said license for a limited time, not exceeding its term, to the executor, administrator, trustee, receiver or other person upon whom the same has devolved by operation of law as aforesaid. Under no circumstances, however, shall a license, or rights thereunder, be deemed property, subject to inheritance, sale, pledge, lien, levy, attachment, execution, seizure for debts, or any other transfer or disposition whatsoever, except to the extent expressly provided by this act.

License may be extended in case of death.

License not deemed property.

On application made therefor setting forth the same matters and things with reference to the premises to which a transfer of license is sought as are required to be set forth in connection with an original application for license as to said premises, and after publication of notice of intention to apply for transfer, in the same manner as is required in case of an application for license as to said premises, the commissioner or other issuing authority may transfer, upon payment of a

Transfer of license for premises.

Fee.

fee of five dollars ($5.00), any license issued by him or it respectively to a different place of business than that specified therein, by endorsing permission upon such license.

Transfer of license for person.

On application made therefor setting forth the same matters and things with reference to the person to whom a transfer of license is sought as are required to be set forth in connection with an original application for license, which application for transfer shall be signed and sworn to by the person to whom the transfer of license is sought and shall bear the consent in writing of the licensee to such transfer, and after publication of notice of intention by the person to whom the transfer of license is sought, to apply for transfer in the same manner as is required in the case of an original application for license, the commissioner or other issuing authority, as the case may be, may transfer any license issued by him or it respectively to said applicant for transfer by endorsing the license. Said application and the applicant shall comply with all requirements of this act pertaining to an original application for license and shall be accompanied, in lieu of the license fee required on the original application, by a fee of

Fee.

ten per centum (10%) of the annual license fee for the license sought to be transferred, which ten per centum (10%) shall be retained by the commissioner or other issuing authority, as the case may be, whether the transfer be granted or not, and accounted for as other license fees.

Appeal.

The action of the other issuing authority in granting or refusing to grant any application for a transfer of license to a different place of business or person shall be subject to appeal to the commissioner within thirty (30) days from the date such action was taken.

Employment regulations.

No person who would fail to qualify as a licensee under this act shall be knowingly employed by or connected in any business capacity whatsoever

Proviso.

with the licensee; *provided, however,* that special-

ized technical workers, required in any business may, with the approval of the commissioner, and subject to rules and regulations, be employed although failing to qualify as to residence or citizenship; *and further provided,* that persons failing to qualify as to age, residence or citizenship may, with the approval of the commissioner, and subject to rules and regulations, be employed by any licensee, but such employee, if disqualified by age or citizenship, shall not, in any manner whatsoever, sell or solicit the sale or participate in the manufacture, rectification, blending, treating, fortification, mixing, processing or bottling of any alcoholic beverage. Proviso.

2. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 125

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

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

1. Any teacher, school nurse, school dentist, principal, supervisor, supervising principal, superintendent or janitor in any of the public schools of this State, against whom an action in damages is instituted for any act or acts arising out of, or in the course of his or her employment, shall be furnished by his or her employing board of education with legal counsel to advise and defend him Board of education to defray cost of suit.

or her and, said board of education shall defray the fees and expenses of counsel in such suit; *provided, however,* should such employee decline the services of the counsel provided, then and in that event the employing board shall be relieved of all further responsibility; *and be it further provided,* that the employing board may not be required to provide or to defray the fees and expenses of counsel where the suit for damages is instituted on the grounds of the alleged use of corporal punishment.

Proviso.

Proviso.

Cost of appeal defrayed by employee.

2. Should the action instituted result in a verdict against the employee, then and in that event any appeals taken by the said employee must be taken at the cost and expense of the employee; *provided, however,* that if, upon an appeal taken by an employee, the court of higher jurisdiction reverses the decision of the lower court, the cost of such an appeal, including the services of counsel, reasonable counsel fees and expenses shall be borne by the employing board of education; *and provided, further,* that if the verdict of the court of original jurisdiction is in the employee's favor and the complaining person or persons appeals the verdict, then and in this event the employing board shall furnish counsel and defray the fees and expenses of the appeal.

Proviso.

Proviso.

3. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 126

AN ACT to amend an act entitled "An act concerning alcoholic beverages," passed on December sixth, one thousand nine hundred and thirty-three.

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

1. Section forty of the act of which this is an amendment is hereby amended to read as follows: Section 40 amended.

40. It shall be unlawful for any owner, part owner, stockholder or officer or director of any corporation, or any other person whatsoever interested in any way whatsoever in any brewery, winery, distillery or rectifying and blending plant, or any wholesaler of alcoholic beverages, to conduct, own either in whole or in part, or be directly or indirectly interested in the retailing of any alcoholic beverages except as provided in this act, and such interest shall include any payments or delivery of money or property by way of loan or otherwise accompanied by an agreement to sell the product of said brewery, winery, distillery, rectifying and blending plant or wholesaler; *provided, however,* that prior to December sixth, one thousand nine hundred and thirty-eight the ownership of or mortgage upon or any other interest in licensed premises if such ownership, mortgage or interest existed on December sixth, one thousand nine hundred and thirty-three, shall not be deemed to be an interest in the retailing of alcoholic beverages. And it shall be unlawful for any owner, part owner, stockholder or officer or director of any corporation, or any other person whatsoever, interested in any way whatsoever in the retailing of alcoholic beverages to conduct, own either in whole or in part, or to be a shareholder, officer or director of a corporation or association, directly or in- Unlawful for owner, etc., of distillery, etc., to be interested in retail sale. Proviso.

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

Advertising not included.

Approved June 2, 1937.

CHAPTER 127

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

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

1. No money or other benefit paid, provided or allowed to be paid, provided or allowed by any stock or mutual life, health or casualty insurance corporation on account of the disability from injury, or sickness of any insured person under any policy of insurance, whether heretofore or hereafter issued, shall be liable to execution, attachment, garnishment, or other process, or to be seized, taken, appropriated or applied by any legal or equitable process or operation of law, to pay any debt or liability of such insured person whether such debt or liability was incurred before or after the commencement of such disability, but this section shall not affect the assignability of any such disability benefit otherwise assignable, nor shall this section apply to any money income disability benefit in an action to recover for necessaries con-

Not subject to execution, garnishment, etc.

Assignability not affected.

tracted for after the commencement of the disability covered by the disability clause or contract allowing such money income benefit; *and provided, further,* that subject to the statute of limitation, the amount of any premiums paid by the insurer for such disability insurance, in fraud of creditors, with interest thereon, shall enure to such creditor's benefit from the proceeds of such insurance, but all payments made in accordance with such disability insurance contract before written notice by or on behalf of some creditors, with specifications of the amount claimed, claiming to recover for certain premiums paid in fraud of creditors, has been served on the insurer, shall discharge the insurer from all liability to such creditor for such payments. Proviso.

2. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 128

A SUPPLEMENT to an act entitled "An act to tax the transfer of property, of resident and nonresident decedents, by devise, bequest, descent, distribution by statute, gift, deed, grant, bargain and sale, in certain cases," approved April twentieth, one thousand nine hundred and nine.

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

1. The transfer of property passing to any child to whom the decedent for not less than ten years prior to such transfer stood in the mutually acknowledged relation of a parent; *provided, however,* such relationship began at or before the child's fifteenth birthday and was continuous for ten years thereafter, shall be taxed at the same rates and with the same exemptions as the transfer of property passing to a child of said decedent born in lawful wedlock. Tax on transfer of property to children. Proviso.

Tax on property passing to step-child.

2. The transfer of property passing to a step-child of a decedent shall be taxed at the same rates and with the same exemptions as the transfer of property passing to a child of said decedent born in lawful wedlock.

Application.

3. The provisions of this act shall apply to the estate of every decedent, whether the said decedent has heretofore died or may hereafter die; *provided, however,* that they shall not entitle any person to a refund of any tax heretofore paid.

Proviso.

4. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 129

AN ACT to amend the title of an act entitled "An act concerning local boards of health, and employees thereof, in cities in this State, and for the relief of such employees," approved April second, one thousand nine hundred and thirteen, as amended March first, one thousand nine hundred and eighteen, and as further amended April twenty-first, one thousand nine hundred and twenty, as further amended March twenty-eighth, one thousand nine hundred and twenty-seven, as supplemented March twenty-eighth, one thousand nine hundred and twenty-seven, and to amend and further supplement said act.

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

Title amended.

1. The title of the act to which this act is an amendment and supplement is hereby amended to read as follows:

New title.

An act concerning local boards of health, and employees and certain officers thereof, in cities in this State, and for the relief of such employees and officers.

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

9. Pensions shall be paid from such fund in following manner:

I. In all cities of this State in which this act is or shall hereafter become operative, all employees and officers, as defined in section ten of the act to which this act is an amendment, who shall have honorably served therein for twenty-five years continuously, and who is a member of said pension fund corporation, and who has paid all the dues and assessments levied and provided for by the statutes of New Jersey governing said corporation and the by-laws of said corporation, and who shall have attained the age of fifty-five years; *provided, however,* that the terms of this amendment shall not retroactively affect the retirement age of any member employee who was a member of said pension fund corporation prior to June fifth, one thousand nine hundred and thirty-six, shall upon application to the local board or department of health of such city, be retired by such board and shall thereupon receive from such pension fund, an amount, annually, equal to one-half of the average salary received by such employee, for the last two years of his or her employment. Payment of pensions. Proviso.

On or after June fifth, one thousand nine hundred and thirty-six, if any person then a member, or hereafter becoming a member of such pension association, having paid into such fund, shall die not having served five years as an employee or officer, or shall resign voluntarily or be dismissed from service or is transferred outside the jurisdiction of the fund, all dues paid by such person shall be refunded to him or her without interest. Refund of dues.

Whenever any employee or officer, having served a period of five years or over in the board or department of health or city hospital, who having paid into the fund the full amount of his or her annual assessments, shall die or in the event that any member who has been heretofore, or who shall Pension for widows and children.

hereafter be retired and pensioned under the provisions of this act shall die, then and in each of such events, a pension in an amount equal to one-half the amount of the average salary received by such member during the last two years of his or her employment and in those cases where a member has been retired and pensioned previous thereto, shall be paid to the widow for the benefit of herself and minor children, if any, under the age of sixteen years, but in no case shall such payment exceed one thousand dollars per annum; *provided, however,* that in cities of the second class, in which this act is now in force, a pension in an amount equal to one-half of the amount of the average salary received by such member during the last two years of his or her employment shall be paid to the widow, but in no case shall the payment exceed the sum of two thousand dollars per annum.

Maximum pension.

Proviso.

Pension for husband.

In the event a member shall die and leave a surviving husband who is incapacitated either mentally or physically and unable to pursue a gainful occupation for the care of himself and children, if there be any, such surviving husband shall be entitled to a pension of one-half the amount of the average salary received by such member, such pension not to exceed one thousand dollars annually.

Regulating.

No pension shall be paid to any widow or widower of any member of the corporation unless he or she was married to a member of the association before the date of said member's retirement and before said member arrived at the age of fifty years. Upon the remarriage of any such widow or widower pension payments shall cease.

Payment to dependent children.

In the event that there shall be no widow or widower surviving or qualified to take under this act, but such deceased member shall leave children surviving under the age of sixteen years then such pension shall be paid to such of said member's children who have not attained the age of sixteen years in equal shares if there are three or more of them; if only two they shall be paid twenty dollars

each, monthly, and if only one, such child shall be paid twenty-five dollars monthly, until the age of sixteen years is reached. In no event shall the payment under this section exceed the sum of one thousand dollars annually.

Amount of pension.

II. The board of trustees of any pension fund association or corporation organized under this act are hereby authorized to pay to any member from such pension fund an amount equal to one-half of his or her average salary received by him or her for the last two years of his or her employment; *provided,* that any such employee or officer of such board or department shall hereafter become incapacitated, either mentally, or physically; *provided, however,* that no such payments shall be made unless the member has completed his or her fifth year of service in said board or department of health or city hospital.

Proviso.

Proviso.

Requirements.

III. Any employee or officer of any such local board or department of health who shall have served therein for twenty-five years continuously, and who is a member of said pension fund corporation and who has paid all the dues and assessments levied and provided for by the statutes of New Jersey governing said corporation and the by-laws of said corporation, and who shall have attained the age of fifty-five years; *provided, however,* that the terms of this amendment shall not retroactively affect the retirement age of any member employee entered into and obtaining prior to the adoption of this amendment, who shall become incapacitated either mentally or physically from illness or injuries incurred in the performance of his duties as such employee, or who, by reason of advanced age is found unfit for the performance of his duties, shall be retired by the local board or department of health of such city and thereupon he shall receive from such pension fund an amount equal to one-half the average salary received by him for the last two years of his employment.

Proviso.

Automatically become member.

Every employee or officer as defined in section ten, hereafter appointed shall automatically be-

come a member of the pension fund association from the date of appointment for service in the health department or city hospital providing that such employee or officer has been passed by the association's physician as mentally and physically eligible for membership; *providing, however,* that the terms of this act shall not serve to involuntarily enroll any employee eligible to membership who is already entitled by virtue of qualifying prior military service to pension benefits established by law for war veterans; *and it is further provided,* that no employee or officer who has attained the age of forty years shall be eligible to become a member of such pension fund association.

Proviso.

Proviso.

Constitutionality.

3. If any section, term, clause or provision of this act or of the act to which this act is an amendment should be attacked in any court and should be held to be unconstitutional, ineffective or invalid, in whole or in part, the section, term, clause or provision thus declared to be unconstitutional, ineffective or invalid, shall be exscinded from this act but the remainder of this act shall stand and shall remain valid and effective.

Repealer.

4. All acts and parts of acts inconsistent herewith are hereby repealed.

5. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 130

A SUPPLEMENT to an act entitled "An act concerning the juvenile and domestic relations court" (Revision of 1929), approved April twenty-second, one thousand nine hundred and twenty-nine, defining their jurisdiction, powers and duties, and regulating procedure therein.

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

Explaining "records."

1. The word "records" as used in paragraph nineteen of this act does not necessitate the writing of minutes, but the keeping of a docket, which is a permanent record.

2. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 131

AN ACT to amend an act entitled "An act extending the application of an act entitled 'An act for the establishment of an employees' retirement system for the employees of the State of New Jersey,' approved March thirty-first, nineteen hundred and twenty-one, to the employees of the several municipalities and counties of this State," approved March fourteenth, nineteen hundred and twenty-four.

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

Section 2 amended.

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

Act effective.

2. In the event of the adoption of this act as provided in the preceding section, the act shall become effective in the county or municipality adopting it, on June thirtieth of the following year.

Membership optional.

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 act so becomes effective.

Prior service.

Any such employee who shall elect to become a member within one year after the act so takes effect shall be entitled to a prior service certificate covering service rendered to the county or municipality prior to June thirtieth, nineteen hundred and thirty-eight, and half of the service rendered after such date and to date the act so becomes effective.

Membership compulsory.

Membership shall be compulsory for all employees entering the service of the county or municipality after the date the act so becomes effective.

Repealer.

2. This act shall take effect immediately, and all acts or parts of acts inconsistent with this act are hereby repealed.

Approved June 2, 1937.

CHAPTER 132

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

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

Section 11 amended.

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

Securities delivered to receiver or trustee, etc.

11. Whenever any insurance company of this State shall voluntarily dissolve, or a receiver or

trustee thereof shall be appointed by the Court of Chancery or other court of competent jurisdiction in any proceeding brought in such court to effect the liquidation or reorganization of such company; or if, pursuant to the provisions of any statute of this State, any statutory officer shall take possession of the business and affairs of such company; or if such company shall have heretofore or shall hereafter become legally merged into or consolidated with another such company, the Commissioner of Banking and Insurance shall thereupon deliver to such receiver or trustee, or to the directors or trustees on dissolution, or to such statutory officer, or to the company resulting from such merger or consolidation, the securities deposited with him as aforesaid or under any other provision of the act of which this act is an amendment; *provided, however,* that before the said commissioner shall make such delivery, such receiver or trustee, or such directors or trustees on dissolution, or such statutory officer, or such company resulting from such merger or consolidation, shall file a petition in the Court of Chancery setting forth:

Proviso.

Petition contents.

(1) That the petitioner is entitled, by virtue of the provisions of this section, to the possession of the securities deposited as aforesaid;

(2) The nature and value of such securities;

(3) The purpose for which such securities were deposited by such company with the said commissioner. If the court shall be satisfied that such petitioner is entitled to the possession of such securities as provided by this section, it shall make an order directing all persons interested to show cause before it on a day not less than two weeks from the making of such order, why the commissioner should not deliver possession of such securities to such petitioner. A copy of said order shall be served upon the Commissioner of Banking and Insurance, except in cases where the commissioner shall be the petitioner as such statutory officer, and shall be published once in a newspaper published in the county in which such company has its princi-

Order.

Copy served on commissioner.

Publication.

pal office, within three days from the making of such order. If, at the time of filing such petition, there shall be a cause pending in the Court of Chancery in which the business and affairs of such company are being administered under the supervision of such court, such petition and all subsequent proceedings under this section, shall be entitled in such cause. If there shall be no such cause pending, such petition and all proceedings under this section subsequent thereto shall be entitled "In the matter of the surrender of the statutory deposit of ..... Insurance Company", the blank to be supplied with the name of such company. If, upon the return day of the said order to show cause, or any adjournment thereof, the court shall find, from affidavits presented, that service and publication of the order aforesaid have been made as in this section; *provided,* and if it shall find that the objections, if any, against the delivery of such securities are insufficient, it shall make an order directing the said commissioner to deliver the said securities to such petitioner, and upon such delivery, the said commissioner shall be relieved of all further responsibility or obligation in regard to the securities so deposited, except when such securities are delivered by such commissioner as commissioner to himself in his capacity as the officer designated by statute to take possession of the business and affairs of any such company; *provided,* that said deposited securities shall not be delivered to the directors or trustees on dissolution until all proceedings in such voluntary dissolution shall have first been approved by the commissioner; *provided, further,* that nothing herein contained shall be construed as in anywise affecting the rights, in such securities, of the policyholders of such company for whose benefit and security such deposit was made, as provided in section ten of this act. Such securities or the proceeds thereof, shall be administered, upon such delivery, as a trust fund for the benefit of such policyholders, and shall not be mingled with other assets of such company, until

Proviso.

Proviso.

Proviso.

Securities administered as trust fund.

distribution thereof is made as hereinafter provided. The Court of Chancery, in any proceeding brought therein to accomplish the delivery of such securities as herein provided, shall have power to limit the time within which policyholders shall present and make proof of their respective claims against such company, and may bar all such policyholders from any claim in such securities for failing so to do within the time limited; the court may also prescribe what notice, by publication or otherwise, shall be given to such policyholders of such limitation of time; *provided,* that nothing in this act contained shall be construed as investing the Court of Chancery with general jurisdiction over the business and affairs of such company by reason only of any application made to it pursuant to the provisions of this section. Such claims shall be presented to such receiver or trustee, or to such directors or trustees on dissolution, or to such statutory officer, or to such company resulting from such merger or consolidation, in writing and under oath. If such claim is rejected, such policyholder shall be notified thereof in writing and shall have thirty days to appeal from such disallowance to the Court of Chancery, and the said court shall hear and determine the said matter in a summary way, and shall make such order therein as shall be equitable and just. Upon the expiration of the time limited for filing claims, and upon the determination as herein provided, of claims disallowed, the said securities or the proceeds thereof shall be distributed pro rata to such policyholders on account of such claims, and the balance thereof shall thereupon be discharged from any trust for the benefit of such policyholders; *provided,* that if the proceeds of such distribution are insufficient to pay such claims in full, nothing herein contained shall be construed as preventing such policyholders from asserting any lawful claim against other assets of such company for the amount of such deficiency.

Claims.

Proviso.

Claims under oath.

Appeal upon rejection of claim.

Distributed pro rata.

Proviso.

Section 23 amended.

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

Control and administration of securities on deposit.

23. The said securities shall be held by said commissioner so long as such company shall desire to transact business in the State, territory, dependency, Federal district or foreign country, requiring such deposit, but the company making the deposit shall be at liberty to draw the dividends or receive the interest on such securities; and whenever any such company shall desire to discontinue its business in said State, territory, dependency, Federal district or foreign country, and such deposit shall no longer be required by the laws of said State, territory, dependency, Federal district or foreign country, the said commissioner shall return said securities to the company depositing the same;

Proviso.

provided, however, that before the said commissioner shall return said securities deposited with him as aforesaid, the company shall obtain an order therefor in the Court of Chancery as a result of a proceeding substantially similar to that provided in section eleven of the act of which this act is amendatory.

3. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 133.

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

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

Section 1 amended.

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

1. Ten or more persons may become a corporation for the purpose of making any of the following kinds of insurance, to wit: Associations for insurance.

I. Against 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, 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, and against perils to property arising from the use of elevators, aircraft, automobiles or other motor vehicles, bombardment, invasion, insurrection, riot, civil war or commotion, military or usurped power, vandalism, or malicious mischief, and by explosion, whether fire ensues or not, except explosion of steam boilers and flywheels; also against loss of damage by insects or disease to farm crops or products and loss of rental value of land used in producing such crops or products; Fire, storms, drought, accident, etc. Disease or insects.

II. Against any and all kinds of loss or damage to:

(a) 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, money, bullion, precious stones, securities, choses in action, evidences 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 Vehicles.

Bottomry.

(b) 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 such insurance (but not including life insurance or surety bonds) but, except as herein specified, shall not mean insurances against loss by reason of bodily injury to the person;

Health.

III. Upon the lives or health of persons, and every insurance appertaining thereto, and to grant, purchase or dispose of annuities;

Accident and health.

IV. 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 of any description, or to wagons or vehicles propelled by a horse, horses, or teams 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 of any description, or of wagons or vehicles propelled by a horse, horses or teams of any description with moving or stationary objects;

Accident.

V. Against loss or damage resulting from accident to or injury suffered by any person for which loss or damage the insured is liable;

Explosion.

VI. 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;

Surety.

VII. Against loss from the defaults of persons in positions of trust, public or private, or against loss or damage on account of neglect or breaches of duty or obligations guaranteed by the insurer; and against loss by banks, bankers, brokers, financial

or moneyed corporations or associations, of any bills of exchange, notes, checks, drafts, acceptances of drafts, bonds, securities, evidences of debt, deeds, mortgages, documents, gold or silver, bullion, currency, money, platinum and other precious metals, refined or unrefined and articles made therefrom, jewelry, watches, necklaces, bracelets, gems, precious and semiprecious stones, and also against loss resulting from damage, except by fire, to the insured's premises, furnishings, fixtures, equipment, safes and vaults therein caused by burglary, robbery, hold-up, theft or larceny, or attempt thereat. No such indemnity indemnifying against loss of any property as specified herein shall 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.

Title.

VIII. Against loss or damage on account of encumbrances upon or defects in titles to real property and against loss by reason of the nonpayment of principal and interest of bonds and mortgages. A company organized under this act to transact the business authorized by this subdivision shall have the right in addition to the other powers of investment given by this act, with its capital and surplus, to take, buy, sell and deal in first mortgages on real estate and to issue bonds, debentures and certificates against such mortgages, and may use in its name the words "guaranty company" instead of the words "insurance company" as hereinafter required generally for corporations formed under this act;

Credit.

IX. Against loss from bad debts, commonly known as credit insurance;

Theft.

X. 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.

Glass. XI. 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.

Damage by water. XII. 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;

Animals. XIII. Upon the lives of horses, cattle and other live stock or against loss by theft of any such property or both.

Smoke. XIV. Against loss or damage to property caused by smoke and/or smudge.

Casualty. XV. Against loss or damage to property by any other casualty which may lawfully be the subject of insurance.

Stock or mutual plan. Companies may be formed upon the stock plan to transact any kind of insurance authorized by this section, or upon the mutual plan to transact the kinds of insurance described in subdivisions first, second, third, fourth, fifth, sixth and eleventh hereof. Any corporation 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 such charter, transact all of the kinds of insurance de-

scribed in subdivisions first, second and twelfth hereof; *provided,* such corporations shall be possessed of the amount of capital stock or cash premiums required by section six of this act. Proviso.

2. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 134

AN ACT to amend an act entitled "An act concerning the compulsory insurance of payments arising under sections one and two of the act entitled 'An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule for compensation, and regulating procedure for the determination of liability and compensation thereunder,' approved April fourth, one thousand nine hundred and eleven, and further concerning insurance and rates for insurance against the liability of an employer for bodily injuries to an employee," approved March twenty-seven, one thousand nine hundred and seventeen.

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

1. Section seven of article I of the act to which this act is an amendment be and the same is hereby amended to read as follows: Art. I, sec. 7, amended.

7. Any contract of insurance issued by a stock company or mutual association against liability arising under said workmen's compensation act may be cancelled by either the employer or the insurance carrier within the time limited by such Cancellation of insurance.

contract for its expiration. No such policy shall be deemed to be cancelled until

Notice to terminate.

(a) At least ten days' notice in writing of the election to terminate such contract is given by registered mail by the party seeking cancellation thereof to the other party thereto; and

Notice filed with commissioner.

(b) Until like notice shall be filed in the office of the Commissioner of Banking and Insurance, together with a certified statement that the notice provided for by paragraph (a) of this section has been given; and

Time.

(c) Until ten days have elapsed after the filing required by paragraph (b) of this section has been

Proviso.

made; *provided,* that the provisions (b) and (c) of this section shall not apply where the contract cancelled has been replaced by other insurance before such cancellation, and notice of such replacement filed with the Commissioner of Banking and Insur-

Proviso.

ance; *provided, further,* that no notice of cancellation of any such contract need be filed in the office of the Commissioner of Banking and Insurance where the employer is not required by any law of this State to effect such insurance.

2. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 135

AN ACT to supplement an act entitled "An act concerning alcoholic beverages," passed December sixth, one thousand nine hundred and thirty-three.

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

Deemed disorderly person.

1. Any person who shall misrepresent or misstate his or her age or the age of any other person

for the purpose of inducing any licensee or any employee of any licensee to sell, serve or deliver any alcoholic beverage to a person under the age of twenty-one (21) years shall be deemed and adjudged to be a disorderly person and upon conviction thereof shall be punished by fine not exceeding two hundred dollars ($200.00). Fine.

2. All proceedings under this supplementary act shall conform to the procedure and practice set forth in an act entitled "An act concerning disorderly persons" (Revision of 1898), and the acts amendatory thereof and supplemental thereto. Act governing proceedings.

3. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 136

AN ACT to amend an act entitled "An act concerning alcoholic beverages," passed December sixth, one thousand nine hundred and thirty-three.

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

1. Section thirty-seven of the act of which this is an amendment is hereby amended to read as follows: Section 37 amended.

37. The governing board or body of each municipality, may as regards said municipality, by ordinance, limit the number of licenses to sell alcoholic beverages at retail; *provided, however,* that any such limitation heretofore adopted by ordinance or resolution shall continue in full force and effect until repealed, amended or otherwise altered by ordinance. The governing board or body of each municipality may, as regards said municipality, by ordinance or resolution, limit the hours between which the sale of alcoholic beverages at retail may

May limit number of licenses.

Proviso.

Hours of sale.

be made, prohibit the retail sale of alcoholic beverages on Sunday, and, subject to the approval of the commissioner first obtained, regulate the conduct of any business licensed to sell alcoholic beverages at retail and the nature and condition of the premises upon which any such business is to be conducted. The aforesaid limitations of number of licensees and of hours of sale shall be subject respectively to appeal to the commissioner as hereinafter provided. The governing board or body of each municipality shall have power to make, enforce, amend and repeal such ordinances as it may deem necessary to prevent the possession, sale, distribution and transportation of alcoholic beverages within its municipality in violation of this act. The governing board or body of each municipality may, by ordinance, enact that no more than one retail license shall be granted to any person, corporation, partnership, limited partnership or association in said municipality and that said license shall cover only the licensed premises; *provided, however,* that nothing herein contained shall operate to disqualify a guardian, executor, administrator, trustee, receiver, or any other fiduciary or court officer from obtaining or from holding more than one such license in different official capacities.

Regulations subject to appeal.

Regulation by municipality.

May limit the number of licenses to person, etc.

Proviso.

Act effective.

2. This act shall take effect July first, one thousand nine hundred and thirty-seven.

Approved June 2, 1937.

CHAPTER 137

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

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

Validating judgment of Board of Tax Appeals.

1. The determination or judgment of the State Board of Tax Appeals on any complaint filed with said board, pursuant to the act to which this act is a supplement, by any railroad and canal company, with respect to the assessment and the taxation of its property for the year nineteen hundred and thirty-six is valid and effectual notwithstanding any hearing of the board on said complaint was held after the fifteenth day of October, in the year nineteen hundred and thirty-six, and notwithstanding the determination or judgment of the board on said complaint was made after the fifteenth day of October, in the year nineteen hundred and thirty-six.

2. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 138

AN ACT to amend an act entitled "An act to amend an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building and in making certain improvements to land' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight."

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

Section 1 amended.

1. The first section of the act of which this is an amendment is hereby amended to read as follows:

Land and building subject to lien.

1. (1) Every building within this State together with the land whereon it stands, including the lot or curtilage whereon the same is erected, shall hereafter be liable for the payment of any debt contracted or owing to any person for labor performed or materials furnished in or about the erection, construction or completion thereof, or any alteration, repair or addition thereto, or for labor performed or material furnished in or about the sinking, driving, digging or drilling of a well or wells, whether the same be in the building or on the lands whereon it stands, which debt shall be a lien on such building, and on the land whereon it stands, including the lot or curtilage whereon the same is erected;

Proviso, notice of intention.

provided, nevertheless, that no one shall be entitled to a lien under the provisions of this act or any act supplementary hereto or amendatory hereof for any labor performed or materials furnished prior to the filing in the office of the clerk of the county wherein the land and building to be affected by such lien is situate, a mechanic's notice of intention to perform such labor or furnish such materials, which notice shall be signed by or on behalf of the one for whose benefit the same is filed and shall contain:

Contents of notice.

(a) The name of anyone who shall, within ten days

prior to the filing of the notice, have been the owner of record of the estate in the lands to which the lien is to attach. (b) A description of the land sufficient to identify it. (c) The name of the one for whom the labor is to be performed or to whom the materials are to be furnished. (d) The full name and address of the one for whose benefit the notice is filed, and the name of the person or persons whose signature shall be binding on the one for whose benefit the notice is filed when affixed to any instrument relating to such right of lien.

Proviso, limiting time for filing lien.

Provided, also, that no lien claim shall be filed after the expiration of two years from the filing of a mechanic's notice of intention unless the right of lien contingent upon the filing of such mechanic's notice of intention is preserved by the filing of a further mechanic's notice of intention before the expiration of the two-year period following the filing of the prior notice upon which the right of lien is based; which second notice shall be in form required by the act and shall also recite that it is filed to protect the right of lien based upon the former notice.

Construing as to wages.

Provided, that nothing contained in the foregoing provisions shall be construed to apply to anyone performing labor which is to be paid for within two weeks from the date of performance when the amount due for such labor does not exceed the sum of two hundred dollars ($200.00).

Record by county clerk.

(2) The county clerk of each county in this State shall, prior to the date when this act goes into effect, provide a book to be entitled "mechanic's notice of intention", so arranged that he may record therein, the name of the owner, the name of the person by or on whose behalf the notice is filed, the location of the property, the file number of the county clerk's office endorsed upon each notice filed under the provisions of this act, and the date of filing of such notice, and shall maintain in said record, an alphabetical index of all owners in any such notice, and shall keep in his office in convenient form for inspection by the public, all notices so filed and for so

Fee.

doing, he shall be entitled to a fee of twenty-five cents ($0.25) for each notice so filed, recorded and indexed.

Not entitled to lien.

(3) No person shall be entitled to a lien under the provisions of this act, or under any act supplemental hereto or amendatory hereof, who shall have delivered materials to be used in the erection, construction, completion of, or any alteration, repair or addition to any building when furnished or delivered under a contract for the conditional sale of goods.

Section 2 amended.

2. The second section of the act of which this is an amendment be and the same is hereby amended to read as follows:

Liable to contractor.

2. Whenever any building, or an addition to any building, shall be erected, constructed, completed, altered or repaired in whole or in part by contract in writing, signed by the record owner of the estate or interest in the land which is to be charged with the lien hereunder, such building, and the land whereon it stands, to the extent of the estate or interest so charged, shall be liable to the contractor alone for the work done or materials furnished in pursuance of such contract; *provided,* said contract or a duplicate thereof, together with the specifications accompanying the same, or a copy or copies thereof, be filed in the office of the clerk of the county in which such building is situate before such work done or materials furnished; *provided, further,* that it shall not be necessary to file the plans for such building in said clerk's office, whether such plans are referred to in said contract or not. The filing of such contract shall be in lieu of mechanic's notice of intention as provided in the first section of this act.

Proviso, filing contract.

Proviso.

Filing in lieu of notice.

Section 3 amended.

3. The third section of the act of which this is an amendment be and the same is hereby amended, to read as follows:

To file notice of failure to pay.

3. (1) Whenever any master workman or contractor, or whenever any contractor under any master workman or contractor, shall, upon demand,

refuse to pay any person who may have furnished him materials for use in or about the erection, construction, completion, alteration or repair of any such house or other building, or any addition thereto or any subcontractor, journeyman or laborer employed by him in erecting constructing, completing, altering or repairing any building or any addition thereto, the money or wages due to him, it shall be the duty of such journeyman, laborer, materialman or subcontractor to file in the office of the clerk of the county wherein such house or building is situated a notice in writing of such refusal, and of the amount due to him or them and so demanded, specifying said amount as nearly as possible, and the owner or owners of such building shall thereupon be authorized to retain the amount so due and claimed by such journeyman, laborer, materialman or subcontractor out of the amount owing by him or them on the contract or that may thereafter become due from him or them on such contract for labor or material used in the erection of such building, giving the master workman or contractor and any contractor under any master workman or contractor written notice of such notice and demand, and if the same be not paid or settled by said master workman or contractor, or such contractor under any master workman or contractor, such owner or owners, on being satisfied of the correctness of said demand, shall pay the same in the order in which such notices were filed in the office of the county clerk, and the receipt of such journeyman, laborer, materialman or subcontractor for the same shall entitle such owner or owners to an allowance therefor in the settlement of accounts between him and such master workman or contractor, his representatives or assigns, as so much paid on account.

Contents of notice.

After filing the said notice, the claimant may serve a copy of such notice upon the owner, if a natural person, by delivering the same to him personally, or if the owner cannot be found, to his

Service on owner.

agent or attorney, or by leaving it at his last known place of residence with a person of suitable age and discretion, or by registered letter addressed to his last known place of residence; if the owner be a corporation, said service shall be made by delivering such copy to and leaving the same with the president, vice-president, secretary, registered agent of the corporation, the cashier, treasurer, or a director or managing agent thereof, personally, or by registered letter addressed to its principal office. Until service of the notice has been made, as above provided, an owner shall be protected in any payment made in good faith to any contractor or other person having a valid claim under this section. A failure to serve the notice shall not otherwise affect the validity of such notice.

Owner protected.

Record of stop notices.

(2) The county clerk of each county in this State shall, prior to the date when this act goes into effect, provide a suitable book to be entitled "stop notices" so arranged that he may record therein the name of the owner, the name of the person by or on whose behalf the notice is filed, the location of the property, the file number of the county clerk's office endorsed upon each notice filed under the provisions of the third section of this act, and the date of filing of such notices, and shall maintain in such record an alphabetical index of all owners in any such notices, and shall keep in his office in convenient form for inspection by the public all notices so filed, and for so doing he shall be entitled to a fee of twenty-five cents ($0.25) for each notice so filed, recorded and indexed.

Fee.

Approved June 2, 1937.

CHAPTER 139

AN ACT concerning soil conservation and providing for the creation of soil conservation districts, to engage in conserving soil resources and preventing and controlling soil erosion; to establish the State Soil Conservation Committee, and to define its powers and duties; to define the powers and duties of soil conservation districts, and to provide for the exercise of such powers.

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

ARTICLE I

DECLARATION OF POLICY

Declaration of policy.

101. It is hereby declared to be the policy of the Legislature to provide for the conservation of the soil and soil resources of this State, and for the control and prevention of soil erosion.

ARTICLE II

DEFINITIONS

Definitions:

201. Wherever used or referred to in this act, unless a different meaning clearly appears from the context:

District or soil conservation district;

(a) "District" or "Soil Conservation District" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth;

Supervisor;

(b) "Supervisor" means one of the members of the governing body of a district, appointed in accordance with the provisions of this act;

Committee; (c) "Committee" or "State Soil Conservation Committee" means the agency created in article three of this act;

Petition; (d) "Petition" means a petition filed under the provisions of article four of this act for the creation of a district;

State; (e) "State" means the State of New Jersey;

Agency of this State; (f) "Agency of this State" includes the government of this State and any subdivision, agency, or instrumentality, corporate or otherwise, of the government of this State;

United States; (g) "United States" or "Agencies of the United States" includes the United States of America, the Soil Conservation Service of the United States Department of Agriculture, and any other agency or instrumentality, corporate or otherwise, of the United States of America;

Government; (h) "Government" or "Governmental" includes the government of this State, the Government of the United States, and any subdivision, agency or instrumentality, corporate or otherwise, of either of them;

Land owner; (i) "Land owner" includes any person, firm or corporation who shall hold title to any lands lying within a district organized under the provisions of this act;

Due notice; (j) "Due Notice" means notice published at least twice, with an interval of at least seven days between the two publication dates, in a newspaper or other publication of general circulation within the appropriate area, or if no such publication of general circulation be available, by posting at a reasonable number of conspicuous places, within the appropriate area, such posting to include, where possible, posting at public places where it may be customary to post notices concerning county or municipal affairs generally. At any hearing held pursuant to such notice, at the time and place designated in such notice, adjournment may be made from time to time, without the necessity of renewing such notice for such adjourned dates.

ARTICLE III

STATE SOIL CONSERVATION COMMITTEE

State soil conservation committee.

301. There is hereby established, to serve as an agency of the State and to perform the functions conferred upon it in this act, the State Soil Conservation Committee. The Director of the Experiment Station, the Director of the Extension Service, the Secretary for the Board of Agriculture, the Director of the Department of Conservation and Development, the Master of the State Grange and the President of the State Farm Bureau of this State shall serve as members of this committee. The committee shall invite the Secretary of Agriculture of the United States of America to appoint one person, a resident of the State of New Jersey, to serve with the above-mentioned members as a member of the committee. The committee shall keep a record of its official actions, shall adopt a seal, which seal shall be judicially noticed, and may perform such acts, hold such public hearings, and promulgate such rules and regulations as may be necessary for the execution of its functions under this act.

Membership.

Other members.

Records.

Rules and regulations.

Employees.

302. The State Soil Conservation Committee may employ, subject to the rules of the State Civil Service Commission, a qualified administrative officer and such technical experts and such other agents and employees, permanent and temporary, as it may require, and shall determine their qualifications, duties and compensation of all employees. The committee shall call upon the Attorney-General of the State for such legal services as it may require for the purpose of carrying out any of its functions. The committee may enter into co-operative agreements with any other State agency.

Legal services.

Co-operative agreements.

Organization.

303. The committee shall designate its chairman, and may, from time to time, change such designation. A member of the committee shall hold office so long as he shall retain the office by virtue of which he shall be serving on the committee. A

Term.

Quorum. majority of the committee shall constitute a quorum, and the concurrence of a majority in any matter within their duties shall be required for its Expenses paid. determination. The chairman and members of the committee shall receive no compensation for their services on the committee, but shall be entitled to expenses, necessarily incurred in the discharge of Surety bonds. their duties on the committee. The committee shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with Records. funds or property; shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions, regulations, and orders issued or adopted; and shall provide for an annual audit of the accounts of receipts and disbursements.

Duties and powers: 304. In addition to the duties and powers hereinafter conferred upon the State Soil Conservation Committee, it shall have the following duties and powers:

Accept services, materials and money from Federal government; (a) To accept from the United States or any of its agencies, contributions in services, materials, money, or otherwise, and to use or expend such contributions in the formulation of comprehensive plans for the conservation of soil resources and the prevention of soil erosion within the State and to conduct surveys, investigations, demonstrations, and research relating to soil erosion and the preventive measures needed in areas subject to erosion by wind and water, to publish results of any such surveys, investigations or research and to disProviso; seminate information; *provided, however,* that in order to avoid duplication of research, demonstration, and the dissemination of information, no program of such activities shall be carried on except in co-operation with the State Agricultural College and the State Agricultural Experiment Stations, or such other State agency as may be dealing with allied problems;

Assist districts; (b) To offer such assistance to the supervisors of Soil Conservation Districts, organized as provided hereinafter as may be appropriate in the carrying out of any of their powers and programs;

(c) To co-ordinate the programs of the several Soil Conservation Districts organized hereunder; Co-ordinate programs;

(d) To secure the co-operation and assistance of the United States and any of its agencies, and of agencies of this State, in the work of such districts; Secure co-operation of Federal agencies;

(e) To disseminate information throughout the State concerning the activities and programs of the soil conservation districts organized hereunder, and to encourage the formation of such districts in areas where their organization is desirable. Disseminate information.

Article IV

Creation of Soil Conservation Districts

401. Any twenty-five (25) land owners lying within the limits of the territory proposed to be organized into a district may file a petition with the State Soil Conservation Committee asking that a soil conservation district be organized to function in the territory described in the petition. Such petition shall set forth: Petition to form soil conservation districts.

(a) The proposed name of said district; Form of petition.

(b) That there is need, in the interest of the public health, safety, or welfare, for a soil conservation district to function in the territory described in the petition;

(c) A description of the territory proposed to be organized as a district, which description shall not be required to be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate;

(d) A request that the State Soil Conservation Committee duly define the boundaries for such district; that a referendum be held within the territory so defined on the question of the creation of a soil conservation district in such territory; and that the committee determine that such a district be created;

Where more than one petition is filed covering parts of the same territory, the State Soil Conservation Committee may consolidate all or any such petitions. Consolidation.

New Jersey State Library

Notice of hearing.

402. Within thirty (30) days after such a petition has been filed with the State Soil Conservation Committee, it shall cause due notice to be given of a proposed hearing upon the question of the desirability and necessity, in the interest of the public health, safety, or welfare, of the creation of such district, upon the question of the appropriate boundaries to be assigned to such district, upon the propriety of the petition and other proceedings taken under this act, and upon all questions relevant to such inquiries. All land owners within the limits of the territory described in the petition, and of lands within any territory considered for addition to such described territory, and all other interested parties, shall have the right to attend such hearings and to be heard. If it shall appear upon the hearing that it may be desirable to include within the proposed district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of further hearing shall be given throughout the entire area considered for inclusion in the district, and such further hearing held. After such hearing, if the committee shall determine, upon the facts presented at such hearing and upon such other relevant facts and information as may be available, that there is need, in the interest of the public health, safety, or welfare, for a soil conservation district to function in the territory considered at the hearing, it shall make and record such determination, and shall define, by metes and bounds or by legal subdivisions, or by other clearly ascertainable boundaries, the boundaries of such district. The territory to be included within such boundaries need not be contiguous. If the committee shall determine after such hearing, that there is no need for a soil conservation district to function in the territory considered at the hearing, it shall make and record their determination and shall deny the petition. After one year shall have expired from the date of the denial of any such petition, subsequent petitions covering the same or substantially

Attendance at hearing.

Notice to owners in adjoining territory.

To define boundary.

Deny petition.

Subsequent petitions.

the same territory may be filed as aforesaid and new hearings held and determinations made thereon.

Notice of referendum in district.

403. Within a reasonable time after the finding that there is need for the organization of the proposed district and the determination of the boundaries thereof, the committee shall hold a referendum within the proposed district upon the proposition of the creation of the district, and shall cause notice thereof to be given, as hereinafter provided.

Proposition.

The question shall be submitted by ballots upon which the words "For creation of a Soil Conservation District of the lands below described and lying in the county(ies) of ....., and ....." and "Against creation of a Soil Conservation District of the lands below described and lying in the county(ies) of .... and ....." shall appear with a square before each proposition and a direction to insert an × mark in the square before one or the other of said propositions as the voter may favor or oppose creation of such district. The ballot shall set forth the boundaries of such proposed district as determined by the committee. All owners of land lying wholly or in part within the boundaries of the proposed district shall be eligible to vote in such referendum. The State committee shall prepare a list of land owners in the proposed district with their addresses and the number of acres owned by each and post same in two or more conspicuous places at least ten days before the date of holding said referendum. It shall also mail a notice of said referendum to each land owner whose name appears on said list at least ten days prior to the referendum. The committee may correct errors and omissions in the poll list. Only those whose names appear on said list may vote. Before a ballot is cast the person conducting the referendum shall inscribe thereon the number of acres owned by the voters, but no other distinguishing mark.

Form of ballot.

List of land owners prepared.

Notice of referendum

Voting.

Expenses paid by committee.

404. The committee shall pay all expenses for the issuance of such notices and the conduct of such hearings and referenda and shall supervise the conduct of such hearings and referenda. It shall issue appropriate regulations governing the conduct of such hearings and referenda. No informalities in the conduct of such referendum shall invalidate the result thereof if notice thereof shall have been given as herein provided and said referendum shall have been fairly conducted.

Regulations.

Publish result of referendum.

405. The committee shall publish the result of such referendum and shall thereafter consider and determine whether the operation of the district within the defined boundaries is administratively practicable and feasible. If the committee shall determine that the operation of such district is administratively practicable and feasible, it shall record such determination and shall proceed with the organization of the district, in the manner hereinafter provided, otherwise it shall deny the petition. In making such determination the committee may give due regard and weight to the attitudes of the owners of lands lying within the defined boundaries, the number of land owners eligible to vote in such referendum who shall have voted, the proportion of the votes cast in such referendum in favor of the creation of the district to the total number of votes cast, the approximate wealth and income of the land owners of the proposed district, the probable expense of carrying on erosion-control operations within such district, and such other economic and social factors as may be relevant to such determination; *provided, however,* that the committee shall not have authority to determine that the operation of the proposed district is administratively practicable and feasible unless at least a majority of the votes cast and fifty-one per centum (51%) or more of the acreage voted shall have been cast in favor of the creation of such district.

Making determination.

Proviso.

406. If the decision of the committee shall be in the affirmative, it shall appoint three supervisors who shall act as a governing body of the district. Appoint supervisors.

407. The duly appointed supervisors shall present to the Secretary of State an application signed by them, which shall set forth (and such application need contain no detail other than the mere recitals): (1) that a petition for the creation of the district was filed with the State Soil Conservation Committee pursuant to the provisions of this act, and that the proceedings specified in this act were taken pursuant to such petition; that the application is being filed in order to complete the organization of the district as a governmental subdivision and a public body, corporate and politic, under this act; and that the committee has appointed them as supervisors; (2) the name and official residence of each of the supervisors, together with a certified copy of the appointments evidencing their right to office; (3) the term of office of each of the supervisors; (4) the name which is proposed for the district; and (5) the location of the principal office of the supervisors of the district. The application shall be subscribed and sworn to by each of the said supervisors before an officer authorized by the laws of this State to take and certify oaths, who shall certify upon the application that he personally knows the supervisors and knows them to be the officers as affirmed in the application, and that each has subscribed thereto in the officer's presence. The application shall be accompanied by a statement by the State Soil Conservation Committee, which shall certify (and such statement need contain no detail other than the mere recitals) that a petition was filed, notice issued, and hearing held as aforesaid; that the committee did duly determine that there is need, in the interest of the public health, safety, or welfare, for a soil conservation district to function in the proposed territory and did define the boundaries thereof; that notice was given and a referendum held on the question of the creation of such district, and that the result

Application presented to Secretary of State.

Contents of application.

Application sworn to.

Statement by committee

of such referendum showed a majority of the votes cast and fifty-one per centum (51%) or more of the acreage voted in such referendum to be in favor of the creation of the district; that thereafter the committee did duly determine that the operation of the proposed district is administratively practicable and feasible. The said statement shall set forth the boundaries of the district as they have been defined by the committee.

Boundaries set forth.

Filing by Secretary of State.

408. The Secretary of State shall examine the application and statement and, if he finds that the name proposed for the district is not identical with that of any other soil conservation district of this State or so nearly similar as to lead to confusion or uncertainty, he shall receive and file them and shall record them in an appropriate book of record in his office. If the Secretary of State shall find that the name proposed for the district is identical with that of any other soil conservation district of this State, or so nearly similar as to lead to confusion and uncertainty, he shall certify such fact to the State Soil Conservation Committee, which shall thereupon submit to the Secretary of State a new name for the said district, which shall not be subject to such defects. Upon receipt of such new name, free of such defects, the Secretary of State shall record the application and statement, with the name so modified, in an appropriate book of record in his office. When the application and statement have been made, filed, and recorded, as herein provided, the district shall constitute a governmental subdivision of this State and a public body corporate and politic. The Secretary of State shall make and issue to the said supervisors a certificate, under the seal of the State, of the due organization of the said district, and shall record such certificate with the application and statement. The boundaries of such district shall include the territory as determined by the State Soil Conservation Committee as aforesaid, but in no event shall they include any area included within the boundaries of another soil

Record by Secretary of State.

District to constitute a governmental subdivision.

Certificate.

Boundaries.

conservation district organized under the provisions of this act.

Subsequent petitions.

409. After one year shall have expired from the date of entry of a determination by the State Soil Conservation Committee that operation of a proposed district is not administratively practicable and feasible, and denial of a petition pursuant to such determination, subsequent petitions may be filed as aforesaid, and action taken thereon in accordance with the provisions of this act.

Petition to include additional territory.

410. Petitions for including additional territory within an existing district may be filed with the State Soil Conservation Committee, and the proceedings herein provided for in the case of petitions to organize a district shall be observed in the case of petitions for such inclusion. The committee shall prescribe the form for such petitions, which shall be as nearly as may be in the form prescribed in this act for petitions to organize a district. Where the total number of land owners in the area proposed for inclusion shall be less than twenty-five, the petition may be filed when signed by a majority of the land owners of such area, representing fifty-one per centum (51%) or more of the land area, and in such case no referendum need be held. In referenda upon petitions for such inclusion, all owners of land lying within the proposed additional area shall be eligible to vote.

Form of petition.

Suit involving validity of district.

411. In any suit, action, or proceeding involving the validity or enforcement of, or relating to, any contract, proceeding, or action of the district, the district shall be deemed to have been established in accordance with the provisions of this act upon proof of the issuance of the aforesaid certificate by the Secretary of State. A copy of such certificate duly certified by the Secretary of State shall be admissible in evidence in any such suit, action, or proceeding and shall be proof of the filing and contents thereof.

Certificate as evidence.

ARTICLE V

APPOINTMENT, QUALIFICATIONS AND TENURE OF SUPERVISORS

Supervisors.

501. The governing body of the district shall consist of three supervisors, appointed as provided hereinabove. The three supervisors shall be legal residents and land owners of the district.

Chairmen.

502. The supervisors shall designate a chairman and may, from time to time, change such designation. The term of office of each supervisor shall be at the pleasure of the State Committee. The selection of successors shall be made in the same manner in which the retiring supervisor shall have been selected. A majority of the supervisors shall constitute a quorum and the concurrence of a majority in any matter within their duties shall be required for its determination. A supervisor shall be entitled to expenses, and a per diem not to exceed five dollars ($5.00) when engaged in the performance of his duties.

Term.

Successors.

Quorum.

Expenses.

Employees.

503. The supervisors may employ, subject to the approval of the State committee, technical experts, and such other officers, agents, and employees, permanent and temporary, as they may require, and shall determine their qualifications, duties, and compensation. The supervisors may delegate to their chairman, to one or more supervisors, or to one or more agents, or employees such powers and duties as they may deem proper. The supervisors shall furnish to the State Soil Conservation Committee, upon request, copies of such ordinances, rules, regulations, orders, contracts, forms, and other documents as they shall adopt or employ, and such other information concerning their activities as it may require in the performance of its duties under this act.

To furnish information.

Surety bonds of employees

504. The supervisors may provide for the execution of surety bonds for any employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate

record of all proceedings and of all resolutions, regulations, and orders issued or adopted; and shall provide for an annual audit of the accounts of receipts and disbursements.

ARTICLE VI

POWERS OF DISTRICTS AND SUPERVISORS

A governmental subdivision.

601. A soil conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district, and the supervisors thereof, shall have the following powers, in addition to others granted in other sections of this act:

Supervisors empowered to:

Conduct surveys and investigations, etc.

(a) To conduct surveys, investigations, and research relating to the character of soil erosion and the preventive and control measures needed, to publish the results of such surveys, investigations, or research, and to disseminate information concerning such preventive and control measures; *provided, however,* that in order to avoid duplication of research activities, no district shall initiate any research program except in co-operation with the Agricultural Experiment Stations or any other agency of this State, as may be dealing with allied problems;

Proviso;

Conduct projects with existing agencies;

(b) To conduct in co-operation with existing State agencies, projects within the district on lands owned or controlled by this State or any of its agencies, with the co-operation of the agency administering and having jurisdiction thereof, and on any other lands within the district upon obtaining the consent of the owner thereof, or those who have rights or interests in such lands, in order to demonstrate methods of soil erosion control;

Carry out preventive and control measures;

(c) To carry out preventive and control measures within the district including but not limited to, engineering operations, methods of cultivation, the growing of vegetation, changes in use of land, on lands owned or controlled by this State or any of its agencies, with the co-operation of the agency administering and having jurisdiction thereof, and

on any other lands within the district upon obtaining the consent of the owner of such lands or the necessary rights or interests in such lands;

Co-operate and enter into agreements to furnish aid;

(d) To co-operate, or enter into agreements with, and within the limits of appropriations duly made available to it by law, to furnish financial or other aid to, any agency, governmental or otherwise, or any owner of lands within the district, in the carrying on of erosion control and prevention operations within the district, subject to such conditions as the supervisors may deem necessary to advance the purposes of this act;

Acquire personal property;

(e) To acquire machinery and other necessary personal property, to make provision for its safekeeping and to dispose of said property when no longer needed;

Make available machinery to land owners;

(f) To make available, on such terms as it shall prescribe, to land owners within the district, agricultural and engineering machinery and equipment, as will assist such land owners to carry on operations upon their lands for the conservation of soil resources and for the prevention and control of soil erosion;

Construct, etc., buildings;

(g) To construct, improve, and maintain such structures as may be necessary or convenient for the performance of any of the operations authorized in this act;

Develop comprehensive conservation plans;

(h) To develop comprehensive plans for the conservation of soil resources and for the control and prevention of soil erosion within the district, which plans shall specify in such detail as may be possible, the acts, procedures, performances, and avoidances which are necessary or desirable for the effectuation of such plans, including the specifications of engineering operations, methods of cultivation, the growing of vegetation, cropping programs, tillage practices, and changes in use of land; and to publish such plans and information and bring them to the attention of owners of lands within the district;

Act as agent;

(i) To act as agent for the United States, or any of its agencies, or for this State or any of its agencies, in connection with any soil-conservation, erosion-control, or erosion-prevention project with-

in its boundaries; to accept donations, gifts, and contributions in money, services, materials, or otherwise, from the United States or any of its agencies, or from this State or any of its agencies, and to use or expend such moneys, services, materials, or other contributions in carrying on its operations;

Have corporate powers;

(j) To sue and be sued in the name of the district; to have a seal, which seal shall be judicially noticed; to have perpetual succession unless terminated as hereinafter provided; to make and execute contracts and other instruments, necessary or convenient to the exercise of its powers; to make, and from time to time amend and repeal, rules and regulations, not inconsistent with this act, to carry into effect its purposes and powers;

Require contributions;

(k) As a condition to the extending of any benefits under this act, to, or the performance of work upon, any lands not owned or controlled by this State or any of its agencies, the supervisors may require contributions in money, services, materials, or otherwise to any operations conferring such benefits, and may require land owners to enter into and perform such agreements or covenants as to the permanent use of such lands as will tend to prevent or control erosion thereon;

Provisions of other acts not applicable.

(l) No provisions with respect to the acquisition, operations, or disposition of property by other public bodies shall be applicable to a district organized hereunder unless the Legislature shall specifically so state.

ARTICLE VII

ADOPTION OF LAND-USE REGULATIONS

Formulate land use regulations.

701. The supervisors of any district shall have authority to formulate regulations governing the use of lands within the district in the interest of conserving soil and soil resources and preventing and controlling soil erosion.

Hearings.

The supervisors shall conduct such public meetings and public hearings upon tentative regulations as may be necessary to assist them in this work. After such hearings the supervisors shall draft such land use regulations

as seem to them necessary to carry out the provisions of this act. These regulations shall then be submitted to the State Soil Conservation Committee which may within thirty days suggest amendments thereto for consideration by the supervisors. Thereafter the supervisors shall give due notice of the regulations by publication and by posting. Any land owner may, for a period of sixty days thereafter, file with the supervisors his objections to the adoption of said regulations, said objections shall be made upon a form to be furnished by the supervisors. If objections are filed by owners of at least twenty-five per centum (25%) of the acreage of the district, the supervisors shall not have authority to enact said regulations, otherwise the supervisors shall thereupon take such affirmative action as may be necessary to make such land use regulations effective. Land use regulations adopted pursuant to the provisions of this article shall be binding on all land owners within such district.

Regulations submitted to committee.

Objections to regulations filed.

Regulations not effective.

Regulations binding.

Amending, etc., regulations.

702. Any owner of land within such district may at any time file a petition with the supervisors asking that any or all of the land-use regulations adopted by the supervisors under the provisions of this article shall be amended, supplemented, or repealed. Land-use regulations adopted pursuant to the provisions of this article shall not be amended, supplemented, or repealed except in accordance with the procedure prescribed in this article for adoption of land-use regulations.

Scope of regulations.

703. Regulations to be adopted by the supervisors under the provisions of this article may include:

(a) Provisions requiring the construction of terraces, terrace outlets, check dams, dikes, ponds, ditches, and other necessary structures;

(b) Provisions requiring observance of particular methods of cultivation including contour cultivating, contour furrowing, lister furrowing, sowing, planting, strip cropping, seeding, and planting of lands to water-conserving and erosion-preventing plants, trees and grasses, forestation and reforestation;

(c) Specifications of cropping programs and tillage practices to be observed;

(d) Provisions limiting the cultivation of highly erosive areas or of areas on which erosion may not be adequately controlled if cultivation is carried on;

(e) Provisions for such other means, measures, operations and programs as may assist conservation of soil resources and prevent or control soil erosion in the district.

Regulations to be uniform.

704. The regulations shall be uniform throughout the territory comprised within the district except that the supervisors may classify the lands within the district with reference to such factors as soil type, degree of slope, degree of erosion threatened or existing, cropping and tillage practices in use, and other relevant factors, and may provide regulations varying with the type or class of land affected, but uniform as to all lands within each class or type. Copies of land-use regulations adopted under the provisions of this article shall be printed and made available to all owners and occupiers of lands lying within the district.

ARTICLE VIII

ENFORCEMENT OF LAND-USE REGULATIONS

Enforcement of land use regulations.

801. The supervisors shall have authority to go upon any lands within the district to determine whether land-use regulations adopted under the provisions of article seven of this act are being observed. Any land owner who shall sustain damages from any violation of such regulations by any other land owner may sue to recover damages at law from such other land owner for such violation.

ARTICLE IX

PERFORMANCE OF WORK UNDER THE REGULATIONS BY THE SUPERVISORS

Complaint upon failure to observe regulations.

901. Where the supervisors of any district shall find that any of the provisions of land-use regulations adopted in accordance with the provisions of article seven hereof are not being observed on particular lands, and that such nonobservance tends to increase erosion on such lands and is interfering

with the prevention or control of erosion on other lands within the district, the supervisors may present to the Court of Chancery a bill of complaint, duly verified, setting forth the adoption of the land-use regulations, the failure of the defendant land owner to observe such regulations, and to perform particular work, operations, or avoidances as required thereby, and that such nonobservance tends to increase erosion on such lands and is interfering with the prevention or control of erosion on other lands within the district, and praying the court to require the defendant to perform the work, operations, or avoidances within a reasonable time and to order that if the defendant shall fail so to perform the supervisors may go on the land, perform the work or other operations or otherwise bring the condition of such lands into conformity with the requirements of such regulations, and recover the costs and expenses thereof, with interest, from the owner of such land. Upon the presentation of such application the court shall cause process to be issued against the defendant, and shall hear and determine the case. The court may provide that upon the failure of the defendant to initiate such performance within the time specified in the order of the court, and to prosecute the same to completion with reasonable diligence, the supervisors may enter upon the lands involved and perform the work or operations or otherwise bring the condition of such lands into conformity with the requirements of the regulations and recover the costs and expenses thereof, with interest at the rate of five per centum (5%) per annum, from the owner of such lands.

Form of complaint.

Hearing.

Failure of defendant to perform within reasonable time.

Recovery of cost.

Petition upon completion of work.

902. The court shall retain jurisdiction of the case until after the work has been completed. Upon completion of such work pursuant to such order of the court the supervisors may file a petition with the court, a copy of which shall be served upon the defendant in the case, stating the costs and expenses sustained by them in the performance of the work and praying that the amount thereof be included in the cost fixed against the defendant.

ARTICLE X

BOARD OF ADJUSTMENT

Board of adjustment.

1001. Where the supervisors of any district organized under the provisions of this act shall adopt land-use regulations in accordance with the provisions of article seven hereof, they shall further provide for the establishment of a board of adjustment. Such board of adjustment shall consist of three (3) members, each to be appointed for a term of three (3) years, except that the members first appointed shall be appointed for terms of one, two and three years, respectively. The members of each such board of adjustment shall be appointed by the State Soil Conservation Committee, with the advice of the supervisors of the district for which such board has been established, and shall be removable, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other reason, such hearing to be conducted by the State Soil Conservation Committee. Vacancies in the board of adjustment shall be filled in the same manner as original appointments, and shall be for the unexpired term. Members of the State Soil Conservation Committee and the supervisors of the district shall be ineligible to appointment as members of the board of adjustment during their tenure of such other office. The members of the board of adjustment shall receive no compensation for their services, but they shall be entitled to expenses, necessarily incurred in the discharge of their duties. The supervisors shall pay the necessary administrative and other expenses incurred by the board, upon the certificate of the chairman of the board.

Terms.

Appointment.

Vacancies.

Those eligible.

Expenses paid.

Rules and regulations.

1002. The board of adjustment shall adopt rules to govern its procedures, which rules shall be in accordance with the provisions of this act. The board shall designate a chairman from among its members, and may, from time to time, change such designation. Meetings shall be held at the call of the chairman and at such other times as the board

Organization.

Meetings.

Quorum.

may determine. Any two (2) members shall constitute a quorum. The chairman, or in his absence such other member of the board as he may designate to serve as acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep a full and accurate record of all proceedings, of all documents filed with it, and of all orders entered, which shall be filed in the office of the board and shall be a public record.

Minutes.

Petition of land owner.

1003. Any land owner may file a petition with the board of adjustment alleging that there are great practical difficulties or unnecessary hardship in the way of his carrying out upon his lands the strict letter of the land-use regulations approved by the supervisors, and praying the board to authorize a variance from the terms of the land-use regulations in the application of such regulations to the lands of the petitioner. Copies of such petition shall be served by the petitioner upon the chairman of the supervisors of the district within which his lands are located and upon the chairman of the State Soil Conservation Committee. The board of adjustment shall fix a time for the hearing of the petition and cause due notice to be given. The supervisors of the district and the State Soil Conservation Committee shall have the right to appear and be heard at such hearing. Any owner of lands lying within the district who shall object to the authorizing of the variance prayed for may intervene and become a party to the proceedings. Any party to the hearing before the board may appear in person, by agent, or by attorney. If, upon the facts presented at such hearing, the board shall determine that there are great practical difficulties or unnecessary hardship in the way of applying the strict letter of any of the land-use regulations upon the lands of the petitioner, it shall make and record such determination and shall make and record findings of fact as to the specific conditions which establish such great practical difficulties or unnecessary hardship. Upon the basis of such findings and determination,

Hearing.

Order of board.

the board shall have power by order to authorize such variance from the terms of the land-use regulations, in their application to the lands of the petitioner, as will relieve such great practical difficulties or unnecessary hardship and will not be contrary to the public interest, and such that the spirit of the land-use regulations shall be observed, the public health, safety, or welfare secured, and substantial justice done.

Appeal from order.

1004. Any petitioner aggrieved by an order of the board granting or denying, in whole or in part, the relief sought of the supervisors of the district, or any intervening party, may apply for a review of such order in the Supreme Court, by filing in such court a petition praying that the order of the board be modified or set aside.

ARTICLE XI

CO-OPERATION WITH STATE AGENCIES

State, etc., agencies to co-operate.

1101. It shall be the duty of all agencies of this State which shall have jurisdiction over, or be charged with the administration of, any State-owned lands, and of any county, or other governmental subdivision of the State, which shall have jurisdiction over, or be charged with the administration of, any county-owned or other publicly owned lands, lying within the boundaries of any district organized hereunder, to co-operate to the fullest extent compatible with the purposes for which such lands are held.

ARTICLE XII

DISCONTINUANCE OF DISTRICTS

Discontinuance of districts.

1201. At any time after five (5) years after the organization of a district under the provisions of this act, any twenty-five (25) owners of land lying within the boundaries of such district may file a petition with the State Soil Conservation Committee praying that the existence of the district be

discontinued. Proceedings to determine whether a district shall be discontinued shall follow so far as appropriate the procedure for the establishment of the district as set forth in article four.

Terminate affairs of district.

1202. Upon receipt from the State Soil Conservation Committee of a certification that the committee has determined that the continued operation of the district is not administratively practicable and feasible, pursuant to the provisions of this article, the supervisors shall forthwith proceed to terminate the affairs of the district. The supervisors shall dispose of all property belonging to the district at public auction and shall pay over the proceeds of such sale to be covered into the State treasury. The supervisors shall thereupon file an application, duly verified, with the Secretary of State for the discontinuance of such district, and shall transmit with such application the certificate of the State Soil Conservation Committee setting forth the determination of the committee that the continued operation of such district is not administratively practicable and feasible. The application shall recite that the property of the district has been disposed of and the proceeds paid over as in this section provided, and shall set forth a full accounting of such properties and proceeds of the sale. The Secretary of State shall issue to the supervisors a certificate of dissolution and shall record such certificate in an appropriate book of record in his office.

Certificate of dissolution.

Regulations to be void.

1203. Upon issuance of a certificate of dissolution under the provisions of this article, all regulations theretofore adopted and in force within such districts shall be of no further force and effect. All contracts theretofore entered into, to which the district or supervisors are parties, shall remain in force and effect for the period provided in such contracts. The State Soil Conservation Committee shall be substituted for the district or supervisors as party to such contracts. The committee shall be entitled to all benefits and subject to all liabilities under such contracts and shall have the same right

Contracts to remain in force.

Committee substituted for district, etc.

and liability to perform, to require performance, to sue and be sued thereon, and to modify or terminate such contracts by mutual consent or otherwise, as the supervisors of the district would have had. Such dissolution shall not affect the lien of any judgment entered under the provisions of article nine of this act, nor the pendency of any action instituted under the provisions of such section, and the committee shall succeed to all the rights and obligations of the district or supervisors as to such liens and actions. Liens not affected.

1204. The State Soil Conservation Committee shall not entertain petitions for the discontinuance of any district nor conduct referenda upon such petitions nor make determinations pursuant to such petitions in accordance with the provisions of this act, more often than once in five (5) years in the case of any particular district. Limiting referenda.

ARTICLE XIII

APPROPRIATIONS

1301. For the purpose of carrying into effect the provisions of this act, there is hereby appropriated the sum of thirty-five thousand dollars ($35,000.00). Appropriation.

ARTICLE XIV

SEPARABILITY CLAUSE

1401. If any provision of this act is held invalid, the remainder of the act shall not be affected thereby. Validity of sections.

ARTICLE XV

EFFECTIVE DATE

1501. This act shall take effect July first, one thousand nine hundred and thirty-seven. Act effective.

Approved June 2, 1937.

CHAPTER 140

AN ACT to amend an act entitled "An act for the establishment of an employees' retirement system for the employees of the State of New Jersey," approved March thirty-first, one thousand nine hundred and twenty-one.

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

Section 1 amended.

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

Definitions:

1. Definitions. The following words and phrases as used in this act, unless a different meaning is plainly required by the context, shall have the following meanings:

State employees' retirement system;

(1) "State Employees' Retirement System," hereinafter referred to as the retirement system, shall all be the corporate name of the arrangement for the payment of retirement allowances and other benefits, under the provisions of this act, and for the system including the several funds created and placed under the management of the board of trustees. By that name all of its business shall be transacted, all of its funds invested, all warrants for money drawn and payments made, and all of its cash and securities and other property shall be held.

Regular interest;

(2) "Regular interest" shall mean interest at four per centum per annum, compounded annually.

Accumulated deductions;

(3) "Accumulated deductions" shall mean the sum of all the amounts, deducted from the compensation of a member or contributed by him, standing to the credit of his individual account in the annuity savings fund, together with regular interest thereon.

Final compensation;

(4) "Final compensation" shall mean the average annual compensation, not exceeding seven thousand two hundred dollars per annum, earnable

by a member for the five years immediately preceding his retirement.

Beneficiary; (5) "Beneficiary" shall mean any person in receipt of a retirement allowance or other benefit as provided in this act.

Pension; (6) "Pension" shall mean payments for life derived from appropriations made by the State as provided in this act.

Annuity; (7) "Annuity" shall mean payments for life derived from contributions made by a member as provided in this act.

Retirement allowance; (8) "Retirement allowance" shall mean the pension plus the annuity.

Pension reserve; (9) "Pension reserve" shall mean the present value of all payments to be made on account of any pension, or benefit in lieu of any pension, granted under the provisions of this act, computed upon the basis of such mortality tables as shall be adopted by the board of trustees with regular interest.

Annuity reserve; (10) "Annuity reserve" shall mean the present value of all payments to be made on account of any annuity, or benefit in lieu of any annuity, granted under the provisions of this act, computed upon the basis of such mortality tables as shall be adopted by the board of trustees, with regular interest.

Fiscal year. (11) "Fiscal year" shall mean any year commencing with the first day of July and ending with the thirtieth day of June next following.

Section 5 amended. 2. Section five of the act to which this act is amendatory be and the same is hereby amended to read as follows:

Information by State departments. 5. (1) Each State department and each branch of the State service not included in a department shall keep such records and, from time to time, furnish such information as the board of trustees in the discharge of its duties may require.

Informed of duties. (2) Upon the employment of any person to whom this act may apply, he shall be informed by his employer of his duties and obligations under this act as a condition of his employment.

Consent to deductions. Every employee to whom this act applies shall be deemed to consent

and agree to any deductions from his compensation required by this act and to all other provisions of this act. Notwithstanding any other law, rule or regulation affecting the salary, pay, compensation, other perquisites or tenure of any person or persons to whom this act applies, or shall apply, and notwithstanding that the minimum salary, pay, compensation or other perquisites, provided by law for any such person, shall be reduced thereby, payment, less said deductions, shall be a full and complete discharge and acquittance of all claims and demands whatsoever for service rendered by such person during the period covered by such payment.

Discharge of claim for service.

Certification of amount deducted for annuity.

(3) The head of each department, and of each branch of the State service not included in a department, shall certify to the Treasurer of the State of New Jersey on account of each and every payroll a statement as voucher for the amounts deducted for annuity purposes, as provided in this act, and shall send a duplicate of such statement to the secretary of the board of trustees. The Treasurer of the State of New Jersey shall pay each of such amounts so deducted into the annuity savings fund, and he shall transmit to the secretary of the board of trustees monthly, or at such less frequent intervals as the retirement board shall designate, a detailed statement of all amounts so paid in and credited by him to the annuity savings fund. The secretary of the board of trustees shall cause each of such amounts so deducted to be credited in the annuity savings fund, together with regular interest, to an individual account of the member from whose compensation the deduction was made.

Payment by treasurer.

Amount credited.

Notification by secretary.

(4) Within sixty days after the adoption of this act the board of trustees, through its secretary, shall notify each present member of the retirement system who may be affected by the change in the final compensation as hereinabove provided that each such member may increase his prospective pension and annuity retirement allowance within the limits herein provided on the payment of a total amount, which shall include both payments and

interest as calculated by the board of trustees to be due, from January first, one thousand nine hundred and twenty-two, or from the date of his first admission to membership in the retirement system if he entered the State service subsequent to January first, one thousand nine hundred and twenty-two to date. If any such member desires to so increase his prospective pension and annuity allowances as herein provided he shall notify the said board of trustees of this fact and he shall pay either in a single payment or by installment payments approved by the board, and in any event within two years from the date of the adoption of this act, the full amount due as calculated by the said board. Thereafter, increased deductions from his salary or compensation as are required shall be made in accordance with the procedure prescribed in the act to which this act is amendatory. Increasing pension.

3. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 141

AN ACT for the relief of John Dougherty.

WHEREAS, John Dougherty, a resident of the township of Little Falls, in the county of Passaic and State of New Jersey, while in the performance of his duties as a member of the police department of the township of Little Falls, contracted Bright's disease and by reason thereof is incapacitated and no longer able to retain his said position and perform his said duties; and Preamble.

WHEREAS, The said John Dougherty, over a long period of years, rendered efficient and faithful service to the said township of Little Falls in the performance of the duties of said office; therefore, Preamble.

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

Pensioned.

1. The township of Little Falls, in the county of Passaic, is hereby authorized to grant and empowered to pay to the said John Dougherty a pension of twelve hundred dollars ($1,200.00) per annum, which said pension shall be paid in semi-monthly installments during the term of his natural life. The said township of Little Falls shall provide in its annual budget for the payment of the aforesaid pension, and from the time of the passage of this act until the adoption of its next budget shall pay said pension hereby granted from any funds available therefor.

Provision for funds.

2. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 142

AN ACT fixing the term of office of tax collector in municipalities of this State.

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

Tenure of municipal tax collector.

1. Any person who shall hereafter be appointed or elected to the position or office of tax collector in any municipality in this State shall hold his said office for a period of four years from the date of his said election or appointment.

Explanation.

2. The term "tax collector" as used in this act shall be construed to mean and include the official charged with the duty of collecting taxes upon real and personal property in each municipality of this State.

Proviso.

3. Provided that nothing herein contained shall be taken to affect or repeal any of the provisions of an act entitled "An act regulating the employment, tenure and discharge of certain officers and

employees of this State, and of the various counties and municipalities thereof, and providing for a Civil Service Commission, and defining its powers and duties,'' approved April tenth, one thousand nine hundred and eight, and subsequent amendments thereto.

4. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 143

AN ACT to amend an act entitled ''An act to make uniform the procedure on interstate extradition,'' approved March thirtieth, one thousand nine hundred and thirty-six.

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 hereby amended to read as follows: Section 13 amended.

13. Arrest of Accused Before Making of Requisition. Whenever any person within this State shall be charged on the oath of any credible person before any judge or magistrate of this State with the commission of any crime in any other State, and, except in cases arising under section six with having fled from justice, or, with having been convicted of a crime in that State and having escaped from confinement, or having broken the terms of his bail, probation or parole, or whenever complaint shall have been made before any judge or magistrate in this State setting forth on the affidavit of any credible person in another State that a crime has been committed in such other State and that the accused has been charged in such State with the commission of the crime, and, except in cases arising under section six, has fled from justice, or with Arrest of accused before making requisition.

having been convicted of a crime in that State and having escaped from confinement, or having broken the terms of his bail, probation or parole and is believed to be in this State, the judge or magistrate shall issue a warrant directed to any peace officer commanding him to apprehend the person named therein, wherever he may be found in this State, and to bring him before the same or any other judge, magistrate or court who or which may be available in or convenient of access to the place where the arrest may be made, to answer the charge or complaint and affidavit, and a certified copy of the sworn charge or complaint and affidavit upon which the warrant is issued shall be attached to the warrant.

Warrant for arrest.

2. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 144

AN ACT to provide aid for certain needy carriers of the causative agents of communicable diseases.

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

Typhoid carrier may apply for assistance.

1. Any person declared by the Department of Health of the State of New Jersey to be a carrier of the causative agent of typhoid fever, paratyphoid fever or other disease the infective agent of which is transmissible through food to other persons may apply to the director of health of New Jersey for financial aid for medical or surgical treatment for such carrier condition and/or for hospital care and/or for maintenance; *provided,* that in the case of a minor the parent or guardian of such person may make such application on his behalf.

Proviso

Inquiry after application.

2. Upon receipt of any such application the director of health of New Jersey shall inquire into the circumstances for the purpose of determining whether such person should properly receive medical or surgical treatment and/or hospital care as a result of the carrier condition and is unable to pay for such treatment and/or care, and whether such person is in need of aid for maintenance as a result of inability to earn a livelihood for himself or dependents because of restrictions placed upon such a carrier by the laws of this State or by regulations enacted by the State Department of Health to protect the public health.

Report.

3. If, after such inquiry, said director of health of New Jersey is satisfied that financial aid for any or all the purposes set forth above should be granted such person, he shall so report to the Department of Health of the State of New Jersey setting forth facts found in said inquiry. If the Department of Health of the State of New Jersey shall decide that financial aid for any or all the purposes set forth above should be granted such person, said department shall determine the kind and amount of such aid which shall be given and such aid shall then be given from State funds in such amounts, for such purpose or purposes and at such intervals as the director of health in conformity with the decision of the said department shall certify; *provided,* that the total amount of such aid granted in any one fiscal year to any such carrier shall not exceed the sum of six hundred dollars ($600.00).

Amount and character of aid.

Proviso.

Appropriation.

4. For the purpose of carrying out the provisions of this act, the sum of twenty-five hundred dollars ($2,500.00) is hereby appropriated to the Department of Health of the State of New Jersey when included in any annual or supplemental appropriation act.

5. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 145

AN ACT to further amend an act entitled "An act respecting the Court of Chancery" (Revision of 1902), approved April third, one thousand nine hundred and two.

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

Section 111 amended.

1. Section one hundred and eleven of an act entitled "An act respecting the Court of Chancery" (Revision of 1902), approved April third, one thousand nine hundred and two, as amended be and the same hereby is further amended to read as follows:

Taking appeal.

111. All persons aggrieved by any order or decree of the Court of Chancery may appeal from the same or from any part thereof to the Court of Errors and Appeals; and all appeals except from final decrees shall be made within thirty days after filing the order or decree appealed from; and all appeals from final decrees in the said court shall be made within three months after filing such decrees;

Proviso.

provided, that in all cases where final decree has heretofore been filed or hereafter may be filed, the Chancellor may, in his discretion, by order made not more than thirty days after the time hereinabove limited for making an appeal, extend the time of the appellant for making his appeal for a period not exceeding thirty days from the expiration of the time so limited.

Right of appeal retained.

2. This act shall take effect immediately, but shall not affect the right to appeal from any order or decree filed prior to the time it takes effect.

Approved June 2, 1937.

CHAPTER 146

AN ACT making appropriations from the State Highway Fund for the maintenance and operation of the State Highway and other related departments, pursuant to the provisions of chapter one hundred and ninety-three of the laws of one thousand nine hundred and thirty-three.

ANTICIPATED REVENUES OF THE STATE HIGHWAY FUND

Balance available January 1, 1937..	$960,846 18	Anticipated road funds.
Tax on motor fuels	21,000,000 00	
Motor vehicle fees, fines, et cetera.	19,000,000 00	
Motor vehicle inspection fees	575,272 00	
Bus excise tax	90,000 00	
Federal aid	1,701,826 00	
Sale of bonds	3,000,000 00	
Miscellaneous revenue	500,000 00	
	$46,827,944 18	
Less:		
Diversion for Emergency Relief: Pursuant to Chapter 43, Laws of 1937	7,917,660 00	Less diversion.
Net revenue available for 1937 appropriations	$38,910,284 18	

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

Dedication of funds.

1. The following sums, or so much thereof as may be necessary, be and they are hereby appropriated out of the State highway fund for the several purposes herein specified.

DEBT SERVICE

Mandatory dedications.

Mandatory Dedications:

Debt service.

1930 *Bond Act*

Principal requirement of highway improvement bonds	$600,000 00	
Interest, highway improvement bonds ..	1,402,437 50	
Principal requirement of institution construction bonds	160,000 00	
Interest, institution construction bonds.	360,312 50	
Principal requirement of emergency relief bonds	3,125,000 00	
Interest, emergency relief bonds	595,312 50	
Principal requirement of educational aid bonds	1,000,000 00	
Interest, educational aid bonds	237,500 00	
Total debt service on 1930 bond act		$7,480,562 50
Amortization requirement for State highway road and bridge bonds ($70,000,000.00 issue), pursuant to chapter 9, laws of 1936		$2,987,526 40

Interest on $70,000,000.00 issue:		
Interest on road bonds	1,035,000 00	
Interest on bridge bonds	382,500 00	
Interest on roads, bridges and viaducts bonds	1,225,000 00	
		5,630,026 40
Total debt service		$13,110,588 90

STATE HIGHWAY COMMISSIONER

Construction and Maintenance of Roads and Bridges

Roads and bridges.

Mandatory Dedications:

State Aid to Counties and Municipalities		
Construction, reconstruction, maintenance, etc., of county roads	$6,000,000 00	
Construction, grading, maintenance, etc., of village and township roads	2,100,000 00	
Expenditures pursuant to chapter 178, laws of 1930, as amended	735,000 00	
Expenditures pursuant to chapter 255, laws of 1929, as amended	210,000 00	
Total State aid to counties and municipalities		$9,045,000 00
County reimbursement projects (Monmouth county)		37,545 66
Total Mandatory Deductions		$9,082,545 66

Appropriation:		
Administration, engineering, inspection and administration costs of rights-of-way	$1,475,000 00	
Construction of State highway system, purchase of rights-of-way, construction of roads, bridges and grade crossings	9,244,872 62	
Purchase of plant and equipment	200,000 00	
Lighting State highway system and operation of bridges	905,000 00	
Maintenance of State highway system	2,800,000 00	
Institution roads and approaches	160,000 00	
Total amount appropriated		14,784,872 62
Total mandatory dedications and appropriations		$23,867,418 28

MOTOR VEHICLE DEPARTMENT

Appropriations:

To motor vehicle department.

Salaries:	
Commissioner	$10,000 00
Deputy commissioner	5,500 00
Assistant Attorney-General	6,000 00
Chief clerk	4,800 00
Chief inspector	3,960 00
Deputy chief inspectors	19,800 00

Compensation for inspectors and clerks, present, $291,300.00; new, $69,080.00	360,380 00	
		$410,440 00
Materials and Supplies:		
Stationery and office supplies	$32,000 00	
Metal and materials for markers	140,000 00	
Vehicular transportation supplies	35,470 00	
		207,470 00
Miscellaneous Expenses:		
Freight and express.	$1,300 00	
Other miscellaneous expenses	2,500 00	
Telephone and telegraph	8,000 00	
Printing laws	2,000 00	
Bonds of commissioner, deputy commissioner and office employees	500 00	
Traveling expenses ..	2,500 00	
Subscriptions	250 00	
Postage	20,000 00	
Garage rent	4,580 00	
Auto insurance	3,000 00	
		44,630 00
Additions and Improvements:		
Purchase of automobiles	$22,000 00	
Purchase of typewriters (agents)	11,250 00	
Purchase of loadometers	1,500 00	
Office equipment	3,800 00	
Filing cabinets	2,700 00	
		41,250 00
		$703,790 00

Financial Responsibility Division

Salaries:		
Supervisor	$3,000 00	
Compensation for assistants, present, $32,340.00; new, $220.00	32,560 00	
		$35,560 00
Materials and Supplies:		
Stationery and office supplies	$1,000 00	
Filing cabinets	150 00	
		1,150 00
Miscellaneous Expenses:		
Postage and expressage		1,800 00
		$38,510 00

Bureau of Safety Education

Salaries	5,040 00
Other miscellaneous expenses	15,000 00
	$20,040 00

Bill of Sale Division

Salaries:		
Supervisor	$3,000 00	
Compensation for assistants, present, $38,940.00; new, $3,900.00	42,840 00	
		$45,840 00

Materials and Supplies:		
Stationery and office supplies	$7,000 00	
Office equipment	1,000 00	
		8,000 00
Miscellaneous Expenses:		
Postage	$7,500 00	
Other miscellaneous expenses	500 00	
Telephone and telegraph	2,000 00	
		10,000 00
		$63,840 00

Bureau of Traffic Control and Regulation

Salaries:		
Compensation for assistants		17,960 00
Materials and Supplies:		
Stationery and office supplies		300 00
Miscellaneous Expenses:		
Postage	$300 00	
Other miscellaneous expenses	200 00	
Telephone and telegraph	300 00	
Rental of office appliances	800 00	
		1,600 00
		$19,860 00

Bus Excise Tax Division

Salaries:	
Compensation for assistants	11,760 00
Materials and Supplies:	
Stationery and office supplies	350 00

Miscellaneous Expenses:		
Postage	$500 00	
Other miscellaneous expenses	100 00	
		600 00
Additions and Improvements:		
Office equipment		150 00
		$12,860 00

Motor Vehicle Inspection Division

To inspection division.

To the Motor Vehicle Commissioner, for the purpose of carrying out the provisions of chapter 269 of the laws of 1936; *provided, however,* that the amount of money hereby appropriated shall be returned to the State Highway Fund by the Commissioner of Motor Vehicles as soon as such money is available ... 575,272 00

Proviso.

Motor Vehicle Department

Total, Motor Vehicle Department administration	$703,790 00	
Total, Financial Responsibility Division	38,510 00	
Total, Bureau of Safety Education	20,040 00	
Total, Bill of Sale Division	63,840 00	
Total, Bureau of Traffic Control and Regulation	19,860 00	
Total, Bus Excise Tax Division	12,860 00	
Total, Motor Vehicle Inspection Division	575,272 00	
Total amount appropriated		$1,434,172 00

STATE TAX DEPARTMENT

MOTOR FUELS TAX DIVISION

Salaries:			
Director	$6,000 00		To motor fuel division.
Compensation for assistants, present, $109,500.00; new, $18,000.00	127,500 00		
		$133,500 00	
Materials and Supplies:			
Stationery and office supplies	$1,500 00		
Retail dealers' license plates	1,500 00		
Vehicular transportation supplies	7,500 00		
Office equipment replacement	1,000 00		
		11,500 00	
Miscellaneous Expenses:			
Postage and expressage	$4,000 00		
Other miscellaneous expenses	500 00		
Traveling expenses ..	5,000 00		
Printing	1,500 00		
Patrol boat crew expenses	1,500 00		
Maintenance of patrol boat	3,000 00		
Rents	4,320 00		
Insurance (other than fire)	1,335 00		
Rental of tabulating machines	3,000 00		
Telephone and telegraph	1,200 00		
		25,355 00	

Unclassified:

The Comptroller of the Treasury is hereby authorized and empowered to pay any refund of motor fuel taxes, upon proper approval, pursuant to chapter 319, laws of 1935, and the State Treasurer is directed to pay warrants issued therefor by the Comptroller.

Additions and Improvements:

Office equipment	$200 00	
New cars	4,800 00	
		5,000 00
		$175,355 00

Board of Commerce and Navigation

Commerce and navigation.

Mandatory Dedication:

Expenditure for construction, reconstruction, maintenance and improvement of inland waterways, pursuant to chapter 334, laws of 1927	$250,000 00

Delaware River Joint Toll Bridge Commission

To Delaware river joint toll bridge.

Appropriation:

Maintenance of free bridges now or to become State property, including improvements	72,750 00

All moneys received from any source whatsoever, whether from the operation of bridges or from the State of Pennsylvania for its proportion of maintenance of

said bridges, is hereby appropriated to the said commission to be used by them for maintenance of bridges and the payment to the State of Pennsylvania of their proportion of the earnings of said bridges.

Any unexpended balance, including receipts from Pennsylvania and rental receipts, is hereby reappropriated.

Total mandatory deductions and appropriations $38,910,284 18

2. Such other reasonable and necessary increases in compensation of officers and employees during the fiscal year, one thousand nine hundred and thirty-seven, may be made upon the recommendation of the Highway Commissioner and the other department heads, whose funds are provided in whole or in part in this act, when and if approved by the Civil Service Commission, in accordance with the recommendations made in the Governor's budget and the same general policy fixed in the Appropriations Act for the operation of the general departments from the State funds for the ensuing fiscal year. For the purpose of effectuating this provision, the State Treasurer shall set aside, allocate and transfer from the unexpended balances of the fiscal year one thousand nine hundred and thirty-six, to the appropriate departmental accounts, sufficient moneys from funds available for highway purposes. Such appropriations shall be considered an appropriation hereby made available to the State House Commission for the purpose of allowing such increases.

Increases in compensation.

Transfer of funds.

3. The appropriations herein made other than those to the State Highway Commissioner are for the fiscal year ending December thirty-first, one

Terms for which appropriations made.

thousand nine hundred and thirty-seven, and the appropriations herein made for debt service and to the State Highway Commissioner shall not lapse by reason of the expiration of said fiscal year. The appropriations herein made other than those for debt service and to the State Highway Commissioner shall be available for expenditure during the fiscal year ending December thirty-first, one thousand nine hundred and thirty-seven, and for a period of three months thereafter to pay obligations incurred during said fiscal year only. Nothing in this section or in this act contained shall be construed to prohibit the payment due upon any contract made under an appropriation of the previous year or years.

Additional allotments.

4. Any additional allotments of funds which may be made by the Federal government to the State of New Jersey, are hereby appropriated for the purposes for which such moneys are allocated, and the State Highway Commissioner is hereby authorized to carry out such projects as may be designated by the Federal government.

Act to date from January first.

5. This act shall take effect immediately and shall be retroactive as of January first, one thousand nine hundred and thirty-seven, and all expenditures made up to the time of the passage of this act, under the provisions of chapter one hundred and ninety-three of the laws of one thousand nine hundred and thirty-three, shall be charged against the amounts herein appropriated.

Approved June 2, 1937.

CHAPTER 147

AN ACT to establish a park health district in that part of the Palisades Interstate Park lying in the State of New Jersey.

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

Park health district within confines of Palisades Interstate Park.

1. There is hereby established in that part of the Palisades Interstate Park lying in the State of New Jersey, laid out, acquired and maintained by the Commissioners of the Palisades Interstate Park under the provisions of an act entitled "An act to provide for the selection, location, appropriation and management of certain lands along the palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the palisades," approved March twenty-second, one thousand nine hundred, and the acts amendatory thereof and supplemental thereto, a park health district which shall be known as the Park Health District of the Palisades Interstate Park. All powers now or later conferred upon and duties now or later imposed upon any local board of health created in accordance with the provisions of section nine of an act entitled "An act to establish in the State boards of health and a bureau of vital statistics, and to define their respective powers and duties," approved March thirty-first, one thousand eight hundred and eighty-seven, are hereby exclusively conferred and imposed upon the Commissioners of the Palisades Interstate Park.

Powers conferred on commissioners.

2. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 148

AN ACT to provide for the creation by interstate compact of the Palisades Interstate Park Commission as a joint corporate municipal instrumentality of the States of New Jersey and New York with appropriate rights, powers, duties and immunities, for the transfer to said commission of certain functions, jurisdiction, rights, powers and duties together with the properties of the bodies politic now existing in each State known as "Commissioners of the Palisades Interstate Park" and for the continuance of the Palisades Interstate Park.

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

Commissioners authorized to treat with those from New York relative to Palisades Interstate Park.

1. Edmund W. Wakelee, Charles W. Baker, William Childs, Abram De Ronde and Victor H. Berman, or any three of them, together with the Attorney-General of the State of New Jersey, are hereby authorized as commissioners upon the part of the State of New Jersey to enter into, with the State of New York, by and through the commissioners appointed or who may be appointed under or by virtue of a law passed or to be passed by the Legislature of the State of New York, and with the approval of the Governors of both States, an agreement or compact in substantially the form following:

Preamble.

Whereas, heretofore the States of New York and New Jersey have co-operated in the establishment and maintenance of an interstate park along the front of the Palisades in said States and in the mountainous lands in Rockland and Orange counties in the State of New York, by respectively enacting legislation creating in each State a body politic by the name and style of "Commissioners

of the Palisades Interstate Park", with power to acquire lands for such park, and improve and manage the same, and by respectively appointing, in practically all cases, the same persons as members of each of such State bodies politic; and

Whereas, it is confidently believed that the creation, by interstate compact, of a joint corporate municipal instrumentality to hold and manage such interstate park will provide greater flexibility and harmony in the management of the park, Preamble.

Now, therefore, in consideration of the premises and of the mutual advantages and benefits to accrue to the peoples of the States of New York and New Jersey from this compact and in consideration of the mutual covenants of the parties hereto herein contained, the sovereign State of New York and the sovereign State of New Jersey do hereby agree as follows: Agreement by New York and New Jersey.

ARTICLE I

1. The park or parks in the State of New York under the jurisdiction, management or control of Commissioners of the Palisades Interstate Park, a body politic created pursuant to chapter one hundred seventy of the laws of nineteen hundred of the State of New York (hereinafter referred to as "New York State Board"), and the park or parks in the State of New Jersey now under the jurisdiction, management or control of Commissioners of the Palisades Interstate Park, a body politic created pursuant to chapter eighty-seven of the laws of nineteen hundred of the State of New Jersey (hereinafter referred to as "New Jersey State Board", the New York State Board and the New Jersey State Board being hereinafter referred to collectively as "State Boards"), shall continue to exist and shall be maintained in the two States as an interstate park for the use of the public and for the purpose of preserving the scenic beauty of the Palisades and other lands therein. Such park shall be called "Palisades Interstate Park". The parties hereto do hereby agree to and pledge, each to the Commissioners of respective States continue. Official name of park.

Care and development.

other, faithful co-operation in the future planning, improvement, development, maintenance, government and management of the park, holding in high trust for the benefit of the public the special blessings and natural advantages thereof.

ARTICLE II

Commission created.

1. There is hereby created a body corporate and politic with the name and style of "Palisades Interstate Park Commission" (for brevity hereinafter referred to as "the commission") which shall be a

Joint instrument.

joint corporate municipal instrumentality of both the State of New York and the State of New Jersey for the purpose of effecting the objects of this compact and which shall be deemed to be performing governmental functions of the two States in the

Powers.

performance of its duties hereunder. The commission shall have power to sue and be sued, to use a common seal and to make and adopt suitable by-

Number.

laws. The commission shall consist of ten members, five of whom shall be citizens and residents of the State of New York and five of whom shall be citizens

Constituted a board.

and residents of the State of New Jersey. For the purpose of doing business the members of the com-

Membership.

mission shall constitute a board. The present members of the two State boards shall be the first members of the commission for their respective States for the remainder of the terms for which they were

Requirement.

respectively appointed. Each member of the commission shall be a citizen and resident of the State of which his predecessor was a citizen and each member of the commission other than the first members shall be appointed by the Governor of the State of which his predecessor was a citizen, by and with

Oath.

the approval of the Senate of such State. Each member shall take an oath of office to perform faithfully all of the duties of his office according to the best of his ability. Such oath of office may be administered by any officer of the State of which such member is a citizen who is authorized to take oaths of office of any State officer and shall be filed in the office of the Secretary of State of such State.

The term of office of each member other than said first members shall be five years. Each member shall hold office until his successor shall have been appointed and shall have taken his oath of office, but each term shall be deemed to commence at the end of the preceding five-year term regardless of when the incumbent is appointed or takes the oath of office. If a member shall cease to be a citizen and resident of the State for which he was appointed, he shall cease to be a member of the commission. If a member of the commission shall die, resign, be removed, refuse to act, or cease to be a citizen and resident of the State for which he was appointed, the vacancy so created shall be filled, for the unexpired term only, by the appointment of a citizen and resident of the State of which such member was a citizen by the Governor thereof, by and with the approval of the Senate of such State. Each member of the commission may be removed from office for neglect of duty or misconduct in office by the Governor of the State of which such member is a citizen after giving such member a copy of the charges against him and an opportunity of being publicly heard in person or by counsel or both in his own defense, upon not less than ten days' notice. No member of the commission shall receive any compensation for his services as a member, but each member shall be entitled to receive his actual disbursements for his expenses in performing the duties of his office. The commission shall annually choose a president, a vice-president, a treasurer and a secretary from among its members and may also appoint such other officers as it may deem necessary or appropriate to carry out the purposes of this compact.

Terms.

Certain changes terminate membership.

Vacancies.

Removal from office.

Expenses met.

Officers.

ARTICLE III

1. There are hereby transferred to the commission all of the functions, jurisdiction, rights, powers and duties of the respective State boards, as now prescribed by the laws of the respective States, and

Transfer of functions, etc.

the same shall hereafter be exercised and performed by the commission, subject to such modifications thereof as are contained in this compact.

Modification of authority.

Either the State of New York or the State of New Jersey may by law applicable to parks or park commissions generally within such State, or by law specifically applicable to the commission or to any of the parks within such State under its jurisdiction, and without the concurrence of the other State, withdraw, modify, alter or amend any of the functions, jurisdiction, rights, powers and duties transferred to the commission by this article or confer additional functions, jurisdiction, rights, powers and duties on the commission, but such action by one State shall be effective only within the territorial limits of such State. The commission shall also have such additional functions, jurisdiction, rights, powers and duties as may be conferred upon it by both States.

Additional functions.

Article IV

All powers, rights, title vested in present commission.

1. All legal and equitable title to or in any property, tangible or intangible and whether real, personal or mixed, used or held as a part of, in connection with, or for the purposes of the park or parks now under the jurisdiction, management or control of the respective State boards, or connected with the maintenance or control thereof, in so far as the same shall have heretofore been vested in either of such State boards, is hereby transferred to and vested in the commission, subject to such liens, easements, permits, life rights and other contracts relating thereto or in respect thereof as may now lawfully exist. All such legal and equitable title shall, upon the taking effect of this compact, forthwith and thereafter reside in the commission without further act or deed or transfer.

Legality of title.

Commission substituted for previous boards.

2. The commission shall succeed and shall be and hereby is substituted for each of the State boards in so far as either of them has any obligation or liability to any person, firm or corporation, has

undertaken or commenced any proceeding or other business, is a party to any action, suit or proceeding (the substitution of the commission for either of the State boards in any action, suit or proceeding to be deemed to be by operation hereof without motion or order) or has issued or promulgated any orders, rules or regulations, and also in so far as, consistent with the other provisions and the purposes of this compact, the commission should be regarded as succeeding and as substituted for either of the State boards in any other respect in order that the purposes of this compact may be accomplished. The balance of all appropriations heretofore made by either State and remaining to the credit of either of the State boards, to which either State board is entitled, or in the future would become entitled if its existence continued, shall be deemed to be appropriations to the commission herein created, and the commission shall, upon the taking effect of this compact, succeed to all the rights to any such appropriations theretofore made with the same force and effect as if the commission had originally been specifically named in the respective appropriation acts instead of the respective State boards for which such appropriations were made.

Responsibilities.

Disposition of funds previously appropriated.

3. All lands the title to which is hereby transferred to or shall hereafter be owned by the commission shall be and continue under the jurisdiction of the commission and shall be used only for public park purposes and none of said lands or any part thereof shall be sold, exchanged or conveyed except with the consent of both States by specific enactments; *provided, however,* that the commission shall have power to grant easements, licenses, permits and other rights over any lands held by it in either State when in the opinion of the commission the same will not interfere with the use and enjoyment of the park by the public.

Jurisdiction of land.

Use of land.

Proviso.

4. Each State may by legislation make rules and regulations for the use and government, including regulation of traffic, of such portions of the park

Legislative enactment as to use, traffic, roads.

as lie within the boundaries of the State, and such parts of any State, county or other public highways as lie within the limits of such portions of the park, and all lands, parks and parkways in the State under the jurisdiction of the commission, prescribe the penalty or penalties for violation of any such rules or regulations, prescribe the procedure for enforcement of any such penalty or penalties and provide the court or courts in which any such enforcement is to be sought.

Enforcement.

ARTICLE V

All property received to be used for park purposes.

1. All money, securities and other property, real and personal, heretofore received by either of the State boards or hereafter received by the commission by way of gift, bequest or devise, may be retained by the commission and, except in so far as the purpose or manner of using the same is otherwise specifically designated or restricted by the terms of any such gift, bequest or devise, may be used in the commission's discretion in either State for any park purpose; and the commission may likewise retain and use all revenue and income arising solely from such money, securities and other property so received by way of gift, bequest or devise or from facilities or operations financed solely by funds so received. In the case of revenue and income arising partly from specific property received by way of gift, bequest or devise or from specific facilities or operations financed partly by funds so received, the commission may likewise retain and use such proportion of such revenue and income as the amount of gifts, bequests or devises, or the proceeds thereof, invested in each such property, facility or operation, bears to the total amount invested therein. The Legislature of either State may from time to time by law specifically made applicable to the commission prescribe other terms and conditions upon which or purposes for which any gifts, bequests or devises thereafter made of money, securities or other property may be ac-

Use of revenues.

Acceptance and use of gifts.

Other possible uses.

cepted for use in such State or used in such State or prescribe a different manner of administering gifts, bequests or devises thereafter made in such State and the disposition of all revenues or income arising therefrom.

Reports.

2. Either State may from time to time by law require the commission to render to any designated official or official body of such State such reports and such estimates of revenues and expenditures as may be specified in such law.

ARTICLE VI

Pledging credit.

1. The commission shall not pledge the credit of either State except by and with the authority of the Legislature thereof.

ARTICLE VII

As to torts.

1. Neither the State of New York nor the State of New Jersey shall be liable for any torts of the commission, its members, officers or employees, except as provided by the laws of such State, but each member, officer and employee of the commission shall, with respect to any tort committed by him in the exercise of his duties or in the course of his employment as such member, officer or employee, be deemed to be an officer or employee of the State where such tort was committed, and any liability arising from such tort shall be governed by the laws of such State.

ARTICLE VIII

Amending compact.

1. This compact may be amended from time to time by the concurrent action of the two States who are parties hereto.

Form of compact.

In witness whereof, the sovereign States of New York and New Jersey, respectively, have caused this compact to be signed and sealed in triplicate by their respective commissioners thereunto duly authorized this day of , nineteen hundred thirty-

Filling vacancies.

2. If by death, resignation or otherwise, a vacancy occurs among those appointed hereunder as commissioners to enter into the aforesaid compact upon behalf of the State of New Jersey, the Governor is hereby authorized to fill such vacancy.

Compact properly authenticated presented to Congress.

3. The said agreement or compact, when signed and sealed by the commissioners of each State and by the Governors of the respective States as hereinbefore provided, shall be presented by said commissioners to the Congress of the United States for its consent and approval, and when such consent and approval have been given, said agreement or compact shall become binding upon the State of New Jersey and thereupon the commission therein created shall be and become vested with all property and rights in or to property transferred to and vested in said commission by the terms of said agreement or compact, together with all other rights, powers, duties and obligations provided for therein. As soon as practicable after obtaining the consent and approval of the Congress of the United States thereto, an original copy of said agreement or compact shall be filed in the office of the Secretary of State of the State of New Jersey by the commissioners named in section one hereof.

Binding effect.

Copy filed in office of State of New Jersey.

4. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 149

AN ACT to amend an act entitled "An act to provide for the proper construction, grading, drainage, maintenance and repair of unimproved town, township, village and borough roads of the State to provide State aid therefor," approved March twentieth, nineteen hundred and sixteen, as said title was amended as here given by act approved April twenty-first, one thousand nine hundred and thirty, approved April twenty-eighth, one thousand nine hundred and thirty-one.

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

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

1. There shall be set aside annually on the first day of October or as soon thereafter as available from the net receipts of the motor vehicle fund the sum of two million six hundred and twenty-five thousand dollars ($2,625,000.00) which shall be used to meet the State's share of the cost of the work hereinafter prescribed. Payments from this fund shall be made in the same way as other payments from the motor vehicle fund. The State Highway Commission shall reserve each year the sum of one hundred and twenty-five thousand dollars ($125,000.00) to meet the State's share in each county until the first day of January. Seventy-five thousand dollars ($75,000.00) of the sum so reserved for each county shall be available in the manner set forth in the act of which this act is an amendment for the construction in each county of unimproved town, township, village and borough roads and fifty thousand dollars ($50,000.00) thereof shall be available in the manner hereinafter set forth, for the maintenance and repair in each

Sum set aside for unimproved roads.

State's share.

County's share.

county of unimproved town, township, village and borough roads. Any part of the said fifty thousand dollars ($50,000.00) which shall not be applied for by requisition of the board of chosen freeholders of said county as hereinafter provided by October first shall be added to the seventy-five thousand dollars ($75,000.00) available for the construction in such county of unimproved town, township, village and borough roads and shall be available for such construction in the manner set forth in the act of which this act is an amendment. Any part of the said seventy-five thousand dollars ($75,000.00) together with any part of the said fifty thousand dollars ($50,000.00) added thereto as herein provided, which shall not be applied for by January first shall be paid by the State Highway Commission to the board of chosen freeholders of said county and shall by it be distributed in its discretion to, and expended under its supervision by, the towns, townships, villages and boroughs of said county for the construction, grading, drainage, maintenance and repair of town, township, village and borough roads of said county.

Use of certain amounts not applied.

2. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 150

A SUPPLEMENT to an act entitled "An act for the construction, maintenance and operation of systems of sewerage in any municipality in this State," approved June thirteenth, one thousand eight hundred ninety-eight.

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

1. Any company heretofore incorporated under an act entitled "An act for the construction, maintenance and operation of water works for the pur-

Certain water and sewerage companies subject to thic act.

pose of supplying cities, towns, townships, villages, boroughs and other municipalities in this State with water, and otherwise amending said act," approved April twenty-first, one thousand eight hundred and seventy-six, as such title was amended by an act approved June twenty-second, one thousand nine hundred and six, for the supplying of water to one or more municipalities, and which company is now engaged in supplying water for public and private use in any city, town, township, village, borough or other municipality in this State, or in more than one of such municipalities, and which company is also engaged in maintaining and operating a system of sewerage in any city, town, township, village, borough or other municipality in this State, or in more than one of such municipalities, may come under and be subject to the provisions of the act to which this is a supplement, and in addition to the corporate powers, rights, and privileges possessed by such company under the act under which it has been incorporated, said company may continue its existence and operation to the extent of the maintenance and operation of a system of sewerage, as fully and to the same extent as if incorporated under the act to which this is a supplement; *provided,* that such company shall make and execute a certificate under the hand of the president and directors thereof stating that it desires to come under the provisions and liabilities of the act to which this is a supplement, which certificate shall be acknowledged or approved in manner prescribed for the acknowledgment or proof of conveyance of real property and shall be accompanied by the consent in writing at least two-thirds (2/3) in interest of all the stockholders of such company having voting powers, which consent shall be verified by the oath of its president or secretary. Said certificate upon approval by the Board of Public Utility Commissioners shall be filed in the office of the Secretary of State. Upon the filing of such certificate as aforesaid, the company making the same shall be deemed to possess, in addition to the cor-

Proviso.

Official approval.

Powers included after filing certificate

porate powers under the act under which it has been incorporated, all the rights and powers under the act to which this is a supplement and be duly authorized thereunder to maintain and operate a system of sewerage for public and private use in such municipality or municipalities and to exercise all the rights and powers conferred by the said act and the amendments thereof and the supplements thereto, and may thereafter continue to maintain, operate and extend its works, mains, pipes and appurtenances for the operation of a system of sewerage in said municipality or municipalities and to possess all the rights, franchises, privileges and municipal consents for the maintenance and operation of said sewerage system as provided by the act to which this is a supplement; *provided,* that no such company shall be relieved of any duty or liability imposed upon it or existing at the time of the execution and filing of such certificate, and provided further that such rights, obligations and duties of such corporation under the act under which it may have been incorporated shall not in anywise be limited hereby, but the rights and privileges granted by the act to which this act is a supplement shall be in addition thereto; *and provided,* nothing herein contained shall hereafter be construed to limit or interfere with the right of any municipality where such works and appurtenances are located to regulate the manner of using the streets and public places therein by any corporation for the purposes of its business; *and provided, further,* that such certificate shall be filed as aforesaid before the first day of January, one thousand nine hundred and thirty-eight.

Proviso.

Proviso.

Proviso.

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

Repealer.

3. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 151

AN ACT relating to the appointment of secretaries to boards of health in certain cities of this State.

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

Secretary to boards of health.

1. From and after the passage of this act it shall be lawful for the boards of health of any city of this State in second class counties now or hereafter having a population of not less than one hundred and thirty thousand nor more than one hundred fifty thousand inhabitants, as ascertained by the preceding Federal census, to appoint a secretary to such board of health, and said secretary shall hold his or her position during good behavior, and any such secretary now in office shall continue therein and the term of office is hereby extended during good behavior of the present incumbent.

Term.

Salary.

2. From and after the passage of this act, said secretary shall receive an annual salary of not less than one thousand seven hundred dollars ($1,700.00); such salary shall be paid by the municipality in the same manner as other salaries are paid, and the governing body shall provide the necessary funds for such payment.

Payment.

Repealer.

3. Any acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 152

A FURTHER SUPPLEMENT to the act entitled "An act to regulate fees," approved April fifteenth, one thousand eight hundred and forty-six.

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

Salaries of court attendants in certain counties.

1. In each county of this State, having a population between one hundred and seventy-five thousand inhabitants 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, and general court of quarter sessions of the peace, and criminal judicial district courts, shall receive and be paid in lieu of all fees, mileage, or other allowances heretofore allowed, an annual salary of two thousand dollars ($2,000.00) per annum 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 year of service, and for each succeeding year of service, and such compensation shall be paid monthly by the collector of such counties; *provided,* that this act shall not be construed as reducing the annual compensation of any court attendants now engaged in any courts affected by the terms of this act.

Proviso.

2. 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. Service allowance.

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

Approved June 2, 1937.

CHAPTER 153

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

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

1. Whenever a structure or building has been erected or maintained as private property within the limits or boundaries of a public street or highway for such a long period of time that the seizure, removal or abatement of the same by the municipality having jurisdiction and control of such street or highway, without compensation to the owner, would work a great hardship, the governing body of such municipality shall have full power and authority, in its discretion, to award compensation to the owner of such structure or building, in such manner and upon such terms as it may, by resolution, determine. The power and authority hereby granted shall include the right to defray the cost of removing, abating, vacating, repairing or rebuilding such structures or buildings. Compensation for property, maintained as highway. Allowance for costs.

2. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 154

AN ACT for the creation and appointment of a commission to be known as the "New Jersey Council" to advertise the agricultural, educational, industrial, recreational and residential advantages of the State of New Jersey and to define the powers and duties of said commission.

Preamble. WHEREAS, the State of New Jersey by reason of its geographical situation, topography, soil and climate possesses unexcelled advantages in agricultural, educational, industrial, recreational and residential spheres; and

Preamble. WHEREAS, the development of the State promises to be greatly advanced by the judicious advertising of these advantages; therefore,

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

New Jersey council. 1. There is hereby created a commission to be known as the "New Jersey Council," to advertise the agricultural, educational, industrial, recreational and residential advantages of the State of New Jersey. The council shall be composed of the following:

How composed.

Secretary, State Department of Agriculture

Director, State Board of Commerce and Navigation

Director, Board of Conservation and Development

Commissioner, Board of Education

President, New Jersey Fish and Game Commission

Commissioner, State Highway Department

Commissioner, Motor Vehicle Department

Director, New Jersey State Planning Board

President, New Jersey State Chamber of Commerce

President, Farm Bureau
Master, State Grange
President, New Jersey State Hotel Association
President, New Jersey Press Association
President, New Jersey State Association of Real Estate Boards
President, New Jersey State Federation of Women's Clubs
State Librarian, State Library Commission

Organization.

2. Within thirty days after this act takes effect, and annually thereafter, the council shall organize by the selection of a chairman. A secretary shall be selected from the staff of the State Board of Commerce and Navigation. The members of the council shall receive no compensation but shall be entitled to their actual and necessary traveling expenses. The council is further empowered to adopt rules and regulations for carrying into effect the provisions of this act, which rules and regulations shall not be inconsistent with the provisions hereof.

Expenses met.

Rules and regulations.

Plans and contracts.

3. The council shall formulate plans for effectuating this act, and in its discretion, enter into a contract or contracts from time to time for the purpose hereof from any appropriation made by the Legislature to the council hereby created.

Appropriation.

4. For the purpose of carrying into effect the provisions of this act there is hereby appropriated the sum of one hundred and fifty thousand dollars ($150,000.00), for the period of one year, commencing July first, one thousand nine hundred and thirty-seven, and a similar amount each year thereafter when included in any annual or other appropriation bill, which appropriation shall be made to the State Board of Commerce and Navigation and which fund shall be administered and expended by the said Board of Commerce and Navigation under the direct authority of the council herein created.

Annual allowance.

Board of Commerce and Navigation in charge.

5. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 155

AN ACT regulating nets in the Hudson river.

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

License to take shad in Hudson river.

1. From and after the passage of this act, it shall be unlawful for any person to fish with, fix, fasten, draw, or drift any net of whatever description for the purpose of taking shad in the waters of the Hudson river within the jurisdiction of the State of New Jersey without first having procured a license so to do.

License fee.

2. Upon application to the Board of Fish and Game Commissioners, and the payment of a fee of twenty-five dollars ($25.00) for each net, the said board may issue, in its discretion, a license permitting the licensee to fish for shad, in the Hudson river, from March fifteenth to June fifteenth.

Regarding nets.

3. No net shall be set, erected, or operated in the waters above mentioned within fifteen hundred feet of any other licensee's net. The method of numbering and identification of nets shall be such as may be determined by the Board of Fish and Game Commissioners.

Taking fish from net.

4. It shall be unlawful for any person to take fish out of any net without the permission of the owner of the net, and it shall be unlawful for any person to willfully cut, break, or mutilate any net set within the waters above mentioned.

Damaging nets.

Permits expire.

5. All permits issued under this act shall expire on December thirty-first of the calendar year in which the same are issued.

Penalty.

6. Any person violating any of the provisions of this act shall be liable to a fine of twenty dollars ($20.00) for each offense.

Enforcement.

7. This act shall be enforced by the persons authorized by and in accordance with the provisions of an act entitled "An act to provide a

uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties of violations thereof," approved March twenty-ninth, one thousand eight hundred and ninety-seven, and the supplements thereto and amendments thereof.

8. This act shall take effect January first, one thousand nine hundred and thirty-eight. Act effective.

Approved June 2, 1937.

CHAPTER 156

AN ACT making an appropriation to the Port Raritan District Commission for the further development of the "Port Raritan District" and regulating the disbursement thereof.

WHEREAS, There is pending in the Federal Congress legislation designed to provide a nation-wide but subdivided plan of improvements such as dams, reservoirs, canals, flood waters and flood control, parks, and the cultivation of land; and Preamble.

WHEREAS, It is proposed to create an authority to be known as "The Atlantic Seaboard Authority", which shall have jurisdiction over navigable waters and their tributaries, some of which are within the State of New Jersey; and Preamble.

WHEREAS, It is necessary and appropriate that the Port Raritan District supplement the efforts of the Federal government in the formulation of the aforesaid plan; therefore, Preamble.

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

Appropriation.

1. There is hereby appropriated to the Port Raritan District created pursuant to the laws of this State, the sum of seven thousand dollars ($7,000.00) in furtherance of the objects in this act recited and for the formulation of additional plans in conjunction with and supplementary to the plans of the Federal government.

Payment.

2. The appropriation of seven thousand dollars ($7,000.00) in this act made shall be paid by the State Treasurer from the general funds of the State on warrant of the Comptroller and the requisition of the Port Raritan District Commission.

3. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 157

AN ACT to amend an act entitled "A supplement to an act entitled 'An act for the taxation of the gross receipts of street railway, traction, gas and electric light, heat and power corporations, using or occupying public streets, highways, roads or other public places, in lieu of taxation of certain property of such corporations,' approved April first, one thousand nine hundred and nineteen," approved March twenty-sixth, one thousand nine hundred and thirty-five.

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

Section 2 amended.

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

Appeal as to validity of tax.

2. Whenever there shall be any appeal to the State Board of Tax Appeals or other litigation in-

volving the validity or correctness of any apportionment of the tax imposed by the act to which this is a supplement, the corporation liable for such tax, if such tax has not been paid prior to the filing of such appeal or the instigation of such other litigation to the several municipalities entitled thereto in accordance with an apportionment made by the State Tax Commissioner, may within thirty days after filing such appeal or the commencement of such litigation pay the amount of such tax or any unpaid portion thereof without interest to the State Treasurer for distribution by him after the final determination of such appeal and/or litigation and in accordance with the judgment entered therein. Such payment to the State Treasurer shall be a full discharge of the liability of the corporation liable for such tax, but if payments shall have been made by any such corporation to any taxing district in excess of the amount of the tax to which such taxing district shall be entitled under a legal apportionment made in accordance with said judgment, such corporation shall pay to the State Treasurer a sum equal to the total amount of such excess payments, to be distributed by him in accordance with said judgments. If any corporation liable for the payment of any gross receipts taxes in accordance with an apportionment made, or to be made, by the State Tax Commissioner, shall have paid the full amount of the gross receipts taxes imposed upon such corporation for any year and shall have heretofore, subsequent to January first, nineteen hundred and thirty-five, or shall hereafter, have made or shall make any payment to any taxing district intended to be in full of or on account of the amount of such taxes for such year to which such taxing district was or may be lawfully entitled, and which payment, in whole or in part, was or may be in excess of the amount of such tax lawfully receivable in such year by such taxing district, such corporation shall be entitled to be reimbursed for such excess payment out of the amount of such

Payment to State Treasurer.

Liability met.

Reimbursement for excess payment.

taxes thereafter becoming payable to such taxing district by such corporation until the full amount of such excess payment shall have been recovered by such corporation from such taxing district.

Repealer.

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

Approved June 2, 1937.

CHAPTER 158

AN ACT to amend an act entitled "An act for the taxation of all the property and franchises of persons, copartnerships, associations or corporations using or occupying public streets, highways, roads or other public places, except municipal and corporations taxable under the act entitled 'An act for the taxation of railroad and canal property,' approved April tenth, one thousand eight hundred and eighty-four, or any of the supplements or amendments thereto, and except corporations taxable under the act entitled 'An act for the taxation of the property and franchises of street railroad corporations using or occupying public streets, highways, roads, lanes or other public places in this State,' approved May twenty-third, one thousand nine hundred and six," which act was approved March twenty-third, one thousand nine hundred.

BE IT ENACTED *by the Senate and General Assemb'y of the State of New Jersey:*

Section 6 amended.

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

Apportionment of franchise tax.

6. The State Tax Commissioner shall annually ascertain and apportion the franchise tax to the

various taxing districts in proportion to the value of the property located in, upon or under any public street, highway, lane or other public place therein, as shown by the statements so filed with said commissioner; but the State Tax Commissioner shall have the power to inquire into, equalize and revise the valuations returned to him in said statements by the county boards of taxation, and to fix the valuations for that purpose for any taxing district which shall fail to file its return within the time required by law, so as to secure an equitable and fair valuation and apportionment of said franchise tax upon a uniform basis of valuation between the various taxing districts entitled thereto; the amount of the franchise tax shall be certified in writing to the respective collectors of taxes or officers having like power and duties to perform on or before May first in each year; *provided,* that no change in the apportionment of the franchise tax shall be made after the apportionment by the said State Tax Commissioner as aforesaid, except by and with the consent in writing of the assessors of the taxing district, whose proportion of the franchise tax would be reduced by such change, and all such changes heretofore made by such commissioner with such consent are hereby validated; the collectors of taxes shall within five days after being so notified of such franchise tax, deliver or cause to be delivered, to each person, copartnership, association or corporation taxable under the provisions of this act, a statement in writing showing the amount of such franchise tax so ascertained, which shall become payable at the place where other taxes are payable in such taxing district thirty days after the date of the certification of the apportionment thereof; *provided,* that in case of an appeal from any apportionment or any review thereof in any court the portion of any such tax not paid prior to such appeal or instigation of proceedings for such review shall not become payable until thirty days after final determi-

Revise valuation.

Proviso.

Statement by collector.

Proviso.

Tax a lien.

Collection.

nation of such appeal or review; and the tax shall be and remain a first lien on the property and assets of such person, copartnership, association or corporation, on and after the day the same becomes payable as herein provided, until paid with interest and penalty thereon; and shall be collected in the same manner that other taxes are collected, and subject to the same discounts and penalties, and the same proceedings now available for the collection of other taxes shall remain applicable to the collection of the franchise tax.

2. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 159

AN ACT to amend an act entitled "An act for the taxation of the property and franchises of street railroad corporations using or occupying public streets, highways, roads, lanes or other public places in this State," approved May twenty-third, one thousand nine hundred and six.

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

Section 6 amended.

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

Apportionment of franchise taxes among taxing districts.

6. The State Tax Commissioner shall annually ascertain and apportion the franchise tax assessed against any street railroad corporation as aforesaid among the various taxing districts in which such corporation is operating street railroads in proportion to the value of the property located in or upon any public street, road, highway, lane or other public place, as shown by the statements so filed with the said commissioner; the amount of

the franchise tax assessed in pursuance of this act shall be certified in writing to the respective collectors of taxes, or officers having like powers and duties in the various taxing districts in which street railroads are located on or before May first in each year; *provided,* that no change in the apportionment of the franchise tax assessed in pursuance of this act shall be made after the apportionment by said State Tax Commissioner as aforesaid, except by and with the consent in writing of the assessors of the taxing district or districts whose proportion of the franchise tax would be reduced by such change. The collector of taxes shall, within five days after being notified of such apportionment of the franchise tax, deliver, or cause to be delivered to the street railroad corporation taxable under the provisions of this act a statement in writing showing the amount of such franchise tax as ascertained, which shall become payable at the place, where other taxes are payable in such taxing district thirty days after the date of the certification of the apportionment thereof, provided that in case of an appeal from any apportionment or any review thereof in any court the portion of any such tax not paid prior to such appeal or instigation of proceedings for such review shall not become payable until thirty days after final determination of such appeal or review; and the tax so assessed and certified shall be and remain a first lien on the property and franchise of such corporations in such taxing district, on and after the day the same becomes payable as herein provided, until paid with interest and penalties thereon, as in case of other delinquent taxes, and shall be collected in the same manner and subject to the same discounts and penalties as other taxes are collected, and the same proceedings available for the collection of other taxes shall be and remain applicable to the collection of the franchise tax hereby authorized.

Proviso.

Statement rendered car company.

Where payable.

Tax a lien.

Collection.

2. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 160

AN ACT to amend an act entitled "An act concerning banks and banking" (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine.

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

Section 20 amended.

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

Resources; must be maintained.

20. Every bank shall at all times have on hand in available funds an amount equal at least to the aggregate of fifteen per centum of all its immediate liabilities and three per centum of all its time liabilities; three-fifths of this amount of available funds may consist of balances due to the bank from good, solvent banks or trust companies, and two-fifths of such sum shall be held in reserve in cash on hand; immediate liabilities shall include all deposits payable on demand made by individuals, firms or corporations, or by banks or trust companies, and all items in the nature of claims payable on demand; time liabilities shall include all deposits or claims not due and payable on demand; whenever the available funds of any bank shall be below the aggregate of fifteen per centum of its immediate liabilities and three per centum of its time liabilities, such bank shall not make any new loans or discounts otherwise than by discounting or purchasing bills of exchange, payable at sight, nor make any dividends of its profits, until the required proportion between its immediate and time liabilities and its available funds has been restored.

Falling below safety.

2. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 161

AN ACT to amend an act entitled "An act concerning trust companies" (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine.

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

1. Section twenty of the act of which this act is amendatory is hereby amended to read as follows: Section 20 amended.

20. Every trust company shall at all times have on hand in available funds an amount equal to at least the aggregate of fifteen per centum of all its immediate liabilities and three per centum of all its time liabilities; four-fifths of this amount of available funds may consist of balances due to the company from good, solvent banks or trust companies, and one-fifth of such sum shall be held in reserve in cash on hand; immediate liabilities shall include all deposits payable on demand made by individuals, firms or corporations, or by banks or trust companies, and all items in the nature of claims payable on demand; time liabilities shall include all deposits or claims not due and payable on demand; whenever the available funds of any trust company shall be below the aggregate of fifteen per centum of its immediate liabilities and three per centum of its time liabilities, such trust company shall not make any new loans or discounts otherwise than by discounting or purchasing bills of exchange, payable at sight, nor make any dividends of its profits until the required proportion between its immediate and time liabilities and its available funds has been restored. Reserves.

2. This act shall take effect immediately.

Approved June 2, 1937.

CHAPTER 162

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

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

Section 88 amended.

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

Brokers and companies to be authorized.

88. No person or firm nor any company organized under the laws of this State or any other State or foreign country, himself, itself or themselves, or by his, its or their brokers, agents, solicitors, surveyors, canvassers or other representatives of whatever designation, nor any such broker, agent, solicitor, surveyor, canvasser or other representative, shall solicit, negotiate or effect any contract of insurance of any kind, including all kinds of insurance described in this act, including annuities involving life contingencies, or sign, deliver or transmit, by mail or otherwise, any policy, annuity contract involving life contingencies, certificate of membership or certificate of renewal thereof, or receive any premium, commission, fee or other payment thereon, on any property or thing, or on the life, health or safety of any person, or maintain or operate any office in this State for the transaction of the business of insurance, or in any manner, directly or indirectly, transact the business of insurance of any kind whatsoever, within this State, unless such company, person or firm, shall be specifically authorized to do the same under the provisions of the laws of this State. Any

person, firm or company violating any of the provisions of this section shall be guilty of a misdemeanor. This section shall not prohibit the granting of annuities by corporations or associations organized without capital stock and not for profit whose funds are derived principally from gifts or bequests and which are used for eleemosynary or charitable purposes. Misdemeanor. Act not applicable.

2. This act shall take effect immediately.

Approved June 3, 1937.

CHAPTER 163

AN ACT to amend an act entitled "An act concerning banks and banking" (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine.

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

1. Section twelve of the act to which this act is an amendment be and the same hereby is amended to read as follows: Section 12 amended.

12. No bank shall hereafter make a loan to any director, officer or employee thereof during the term of such directorship, office or employment and for a period of six months thereafter, or to any corporation, partnership or association a controlling interest in which is held by such director, officer or employee individually or in conjunction with any other director or directors, officer or officers, or employee or employees, unless such loan shall have first been applied for in a writing signed by the applicant therefor, presented to the board of directors or executive committee of such bank and approved in writing by a majority of the members of the board of directors or of the executive committee. Not to make loan to directors or employees. Application for loan.

Disqualified from voting.

Where such application is made by a director on his own behalf or by a corporation, partnership or association in which such director has individually or in conjunction with any other director or directors, officer or officers, employee or employees a controlling interest, such director shall be disqualified from voting in connection with such application for loan.

Record of vote.

The vote of the directors or of the executive committee upon such application shall be recorded in their respective minutes and a copy of the resolution approving the loan showing the number of directors or of the members of the executive committee voting to approve and the number thereof voting against, certified by the secretary or other recording officer of the board of directors or of the executive committee, shall be attached to the instrument evidencing the loan.

Form of application.

The application shall be in such form and shall contain such information as the Commissioner of Banking and Insurance shall by regulation or order prescribe from time to time, copies of which regulations or orders shall be furnished to the banks by the said commissioner.

Discount deemed a loan.

The discount by any such director, officer or employee of any note or bill of exchange shall be deemed a loan within the meaning of this section.

Endorsement deemed a loan.

Any loan or indebtedness upon which any such director, officer or employee shall be or become liable as surety, guarantor or endorser shall be deemed a loan within the meaning of this section.

Demand loans.

Demand loans shall, for the purposes of this section, be deemed to be time loans maturing six months from the time of the making of such loans.

Limits amount of loan.

Hereafter no officer or employee of any bank shall borrow from or otherwise become indebted directly or indirectly to the bank of which he is an officer or employee in an amount exceeding twenty-five hundred dollars.

Loans to businesses in which director, etc., interested.

Hereafter no loan shall be made by any bank to any director, officer or employee thereof, or to any

corporation, partnership or association a controlling interest in which is held by any director, officer or employee of the bank individually or in conjunction with any other director or directors, officer or officers, employee or employees of the bank and no such director, officer or employee of such bank and no such corporation, partnership or association shall become directly or indirectly indebted to any bank in any amount unless such loan shall either be secured by collateral, the sufficiency and amount whereof shall have been approved by a majority of the board of directors or of the executive committee of the bank, or shall, in the judgment of a majority of the board of directors or of the executive committee, be warranted by a statement of the assets and liabilities and earnings of the applicant.

Renewals.

For the purposes of this section each renewal shall be deemed to be an original loan; *provided, however,* that any loan within the provisions of this section, heretofore made by any bank may be renewed or extended from time to time notwithstanding that at the time of any such renewal or extension it does not comply with the provisions of this section.

Proviso.

Limits amount of indebtedness.

No director of any bank nor any corporation, partnership or association in which any director of such bank individually or in conjunction with any other director or directors has a controlling interest, shall become indebted to such bank either directly or contingently at any one time in a sum exceeding ten per centum of the aggregate of the capital and surplus of such bank.

Overdrawn account.

No bank shall permit any director, officer or employee or any corporation, partnership or association a controlling interest in which is held by such director, officer or employee individually or in conjunction with any other director or directors, officer or officers, employee or employees to become liable to it by reason of overdrawn account.

Failure to disclose interest in business a misdemeanor.

Any director, officer or employee of any bank who individually or in conjunction with any other director or directors, officer or officers, employee or employees of such bank has a controlling interest in any corporation, partnership or association applying for a loan and who, if present when such loan is granted or who if not present knows of such application and fails to disclose his interest in such applicant shall be guilty of a misdemeanor.

Violation a misdemeanor.

Any director or directors, officer or officers, employee or employees of any bank who knowingly violate any provisions of this section or who aid or abet in any such violation shall be guilty of a misdemeanor, and shall in addition thereto be liable to such bank for the amount of any loan made in violation of this section, with interest.

2. This act shall take effect immediately.

Approved June 3, 1937.

CHAPTER 164

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

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

Section 3 amended.

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

Certificate stating intention.

3. Such persons shall sign a certificate stating their intention to form a corporation under this act, and setting forth:

First. The name of said company, which shall contain the words "insurance company" except that any company which may be formed for any or all of the purposes specified in subdivisions fourth to fourteenth, both inclusive, of section one of this act may adopt a name containing the words "insurance company," or "indemnity company," or "casualty company," or "surety company," or "guaranty company;" *provided,* the name shall not too closely resemble the name of any existing corporation as to be likely to mislead the public, and shall be approved by the Commissioner of Banking and Insurance. Form of certificate, name. Proviso.

Second. The place where the principal office of the said company in this State is to be located; Principal office.

Third. The kind or kinds of insurance proposed to be transacted by said company, stating the subdivisions of section one of this act authorizing the same; Kind of insurance.

Fourth. If formed under the first, second, third, fourth, fifth, sixth or eleventh subdivisions of section one, whether the company is to be a stock company or a mutual company; Type of company.

Fifth. 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; Capital.

Sixth. The period, if any, limited for the duration of the company: Period of existence.

The certificate of incorporation 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 this act, or the Constitution or laws of this State, which the corporators 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.

Section 16 amended.

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

Investments.

16. Any insurance company of this State, for the purpose of investing its capital, surplus and other funds, or any part thereof, may 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, or invest said capital, surplus and other funds, or any part thereof, in bonds or notes secured by mortgages or trust deeds on unencumbered real estate located within said States, the District of Columbia, or the Dominion of Canada, worth at least one-half more than the sum invested or loaned; or invest in bonds or notes secured by mortgages or trust deeds on unencumbered real estate so located worth less than as above provided but worth at least one-third more than the sum so invested, *provided, however,* (a) 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 (b) 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. For the purposes of this section real estate shall not be deemed to be encumbered within the meaning of this section by reason of the existence

Proviso.

Construing.

of taxes or assessments that are not delinquent, instruments creating or reserving mineral, oil or timber rights, rights-of-way, joint driveways, sewer rights, rights in walls, nor by reason of building restrictions or other restrictive covenants, nor when such real estate 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 securing such bond or note is a first lien upon such real estate and that there is no condition or right of re-entry or forfeiture under which such lien can be cut off, subordinated or otherwise disturbed. Proviso.

Any such insurance company may 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 semiannual 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 this act; 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 this act in the securities of the corporation which issued, assumed or guaranteed such bond or evidence of indebted- Railroad bonds. Proviso.

Proviso.

ness 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. No such life insurance company shall purchase or acquire more than twenty per centum (20%) of the stock of any one corporation, unless it be a municipal corporation, nor shall the amount so 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 hold-

Proviso.

Proviso.

Proviso.

Limits amount.

ing as much as fifty thousand dollars ($50,000), par value, of the bonds of any corporation, when none of the stock of said corporation is held by said company. Any such life insurance company now holding a larger amount than above provided of the stock of any corporation shall divest itself of said excess within five years from the first day of July, one thousand nine hundred and seven, unless upon petition to the Chancellor, and notice to the insurance commissioner, the Chancellor shall, for good cause shown, allow further time for the disposal of such stock, and then within the time so allowed; *provided,* that no loan shall be made or retained on any of the above mentioned securities, 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; *provided, however,* that nothing in this section contained shall be construed as prohibiting an insurance company from entering into an agreement for the purpose of protecting the interests of the company in securities lawfully held by it, or for the purpose of reorganization of a corporation which issued securities so held, and from depositing such securities with a committee or depositories appointed under such agreement; but such agreement and the deposit of securities thereunder must first be approved in writing by the insurance commissioner. Nor shall this section be construed as preventing such company accepting corporate stock or bonds or other securities, which may be distributed pursuant to any such agreement approved as aforesaid or to any plan of reorganization approved in writing by the insurance commissioner; *provided,* that if any such securities so received shall be of the kind not otherwise allowable as an investment

To sell excess.

Proviso.

Proviso, construing.

Construing.

Proviso.

by this section, then they shall be disposed of within five years from the time of their acquisition, unless the insurance commissioner shall, for good cause shown, allow further time for the disposal of such stock, and then within the time so allowed; *and further,* that 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); and that no loan shall be made by any such company on its own stock; and any life insurance company may purchase any policy of insurance, or other obligation of the company, and any claims of its policyholders, and may lend to the holder of any policy of the company a sum which shall not exceed the surrender value of the policy at the time the loan is made, which loan shall be a lien upon the policy and all additions or credits thereon; and any company organized for the purpose of marine insurance may, in addition to the foregoing, lend their funds on bottomry and respondentia bonds and change and reinvest the same as occasion may from time to time require.

Amount of deposit in any one bank.

Investment to be authorized by board

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. Proviso.

All securities acquired pursuant to the provisions of this section by any insurance company shall be held for safe-keeping within the geographical limits of the State of New Jersey; *provided, however,* that any insurance company may make and maintain such deposits of securities with public officials of other States, the United States Government, and foreign countries to such extent as may be required by the laws of such jurisdictions as a condition for authority to transact business therein, *and provided, further,* that this act shall not prohibit the deposit of such securities under agreements as hereinbefore provided; or the transmission of such securities outside the State for the purpose of securing or recording title to such securities or to property, or for the purpose of the sale, exchange or alteration of the provisions of such securities, or for the collection of any payment due thereon, nor shall this act prohibit the deposit of such securities as collateral for loans or as security for the performance of contracts. Securities to be held within the State. Proviso. Proviso.

3. This act shall take effect immediately.

Approved June 3, 1937.

CHAPTER 165

AN ACT to amend an act entitled "An act concerning the compulsory insurance of payments arising under sections one and two of the act entitled 'An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule for compensation, and regulating procedure for the determination of liability and compensation thereunder,' approved April fourth, one thousand nine hundred and eleven, and further concerning insurance and rates for insurance against the liability of an employer for bodily injuries to an employee," approved March twenty-seven, one thousand nine hundred and seventeen.

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

Art. 1, sec. 14, amended.

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

Amount of liability of insurer.

14. No policy of insurance against liability arising under section one or two of the workmen's compensation act, and as required by this act shall contain any limitation of the liability of the insurer to an amount less than that payable by the assured on account of his entire liability under the said workmen's compensation act and under this act and

Construing.

no provision of such policy shall be construed to restrict the liability of the insurer to any stated business, plant, location, or employment carried on by an assured unless the business, plant, location, or employment excluded by such restriction shall

Policy to cover one liability.

be concurrently separately insured or exempted as provided for in this act. No such policy of insur-

ance or any endorsement thereon shall insure against any liability whatsoever other than the liability of one employer for compensation under the workmen's compensation act and under this act and for damages imposed by law because of personal injuries, including death at any time resulting therefrom, sustained by his employees. No action shall be maintained for the collection of premiums on any policy violating any provision of this act. Any policy issued contrary to the provisions of this section shall be construed as incorporating the provisions herein contained; no insurer shall, in action brought upon such policy, plead in defense of such action any provision of such policy which violates any provision of this section.

No action to collect premium.

Construing.

2. This act shall take effect immediately.

Approved June 3, 1937.

CHAPTER 166

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

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

1. It shall be unlawful to advertise, perform in, hold, manage or conduct any marathon, walkathon or skatethon in the State of New Jersey.

Unlawful to hold, etc., walkathon, etc.

2. Any person, firm, association or corporation advertising, holding, managing or conducting any marathon, walkathon or skatethon in this State, and any participant in any such exhibition or performance, shall be guilty of a misdemeanor and punished accordingly; *provided, however,* that nothing herein contained shall be construed to

Misdemeanor.

Proviso.

prohibit foot races sponsored by duly accredited athletic clubs or associations or any bicycle races which shall not be of longer duration than seven consecutive days; *and provided, further,* that nothing contained in this act shall apply to contracts for any of the events herein enumerated which were entered into prior to March first, one thousand nine hundred and thirty-seven.

Proviso.

3. This act shall take effect immediately.

Approved June 3, 1937.

CHAPTER 167

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

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

Section 179 amended.

1. Amend section one hundred seventy-nine of the act to which this is an amendment so that it shall read as follows:

Reserve fund.

179. Ten per centum of the full amount of the State school tax annually raised shall be known as a reserve fund and shall on or before the fifteenth day of February in each year be apportioned by the State Board of Education in the following manner to wit: One-tenth of said reserve fund, being one per centum of the said State school tax, shall be known as an emergency fund and shall be allotted and distributed according to the discretion of the board to those school districts within the State which from written reports submitted by the county superintendents to the Commissioner of Education

Emergency fund.

Allotment of emergency fund.

and approved by him are adjudged to contain too little of ratable property to afford adequate local school taxes. Allotments to such districts shall be made from the said emergency fund for school maintenance as shall in the opinion of the board of education best serve to provide the children resident therein with proper opportunity of common schooling, and shall be expended by such districts as directed by the county superintendent of schools and approved by the Commissioner of Education.

Use of allotment.

Whenever there shall be certified to the Commissioner of Education by any school district in this State the names of pupils who have attended its public schools for at least three months during the preceding school year and who are approved by the county superintendent as residents of such school district residing on property belonging to the State or county which is not taxable, or as residents of such school district by reason of their being inmates of charitable institutions located therein or by reason of their being placed in the school district by a public body authorized by this State to make such placements, or because of being located therein at the direction of any organization, society or agency incorporated and located in this State and having for its object the care and welfare of indigent, neglected, or abandoned children, and whenever there shall be certified to the Commissioner of Education by any school district in this State the names and record of attendance of pupils residing on a United States Government Reservation who have attended the schools of such district for at least three months during the preceding school year, there shall be apportioned to such district in all such cases from the remaining nine-tenths of said reserve fund, for each such pupil thus residing in the district and attending its public schools, the sum of forty-five dollars.

Apportionment for dependent children.

The State Comptroller shall, on the order of the Commissioner of Education, draw his warrant on the State Treasurer in favor of the custodian of each school district to which there has been allotted

Payment.

Proviso.

Proviso.

Apportioning remainder.

Payment to counties.

a portion of the emergency fund; *provided,* that not more shall be distributed from this fund than one-tenth part of said reserve fund; *and provided, further,* that should there be any balance remaining in said emergency fund so allotted, as above, such balances shall be distributed as a part of the reserve fund. The State Comptroller shall also, on the order of the Commissioner of Education, draw his warrant on the State Treasurer in favor of the custodian of each school district to which there has been allotted a portion of the reserve fund as heretofore provided. The remainder of the reserve fund with any balances remaining from the emergency fund, shall on or before the fifteenth day of February in each year be apportioned by the board among the several counties of the State equitably and justly according to its discretion. The Commissioner of Education shall, on or before the fifteenth day of January next ensuing said apportionment, draw an order on the State Comptroller in favor of each county collector for ninety per centum of the amount of the State school tax paid by said county collector to the treasurer, and said county collector shall apply for and be entitled to receive the amount of said order as soon as said order shall be received by him. The Commissioner of Education shall also draw his order in favor of each county collector for such portion of the reserve fund as shall have been apportioned to his county as aforesaid, which order shall be payable as provided in an act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," approved April seventeenth, one thousand nine hundred and thirty-six.

2. This act shall take effect immediately.

Approved June 3, 1937.

CHAPTER 168

AN ACT to amend an act entitled "An act to provide for the taxation of lands owned by, or held in trust for, the State, in municipalities where such lands exceed nine per centum (9%) of the entire area of the municipality," approved on the eighth day of June, one thousand nine hundred and thirty-five.

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

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

1. All lands excepting riparian lands owned by or held in trust for the State of New Jersey, which lands are used or are to be used for State purposes, and whether the title thereto be in the name of the State, or any board, commission or corporation, shall be taxed in the municipality wherein such lands are situate, for municipal and local school purposes; *provided, however,* that said lands shall be assessed at the same value at which said lands were assessed at the time said lands were acquired by the State of New Jersey; *provided, further,* that there shall not be included in the assessed valuation of such lands any improvements constructed or erected by the State, or by any board or commission having jurisdiction or control of any State institution. Bills for taxes or assessments for any such lands shall be rendered to the State, by the proper municipal authorities in the same manner as to individual property owners, when approved by the State Comptroller shall be paid by the State Treasurer to the proper officer of the municipality, which payment shall be made without interest on or before June first of the calendar year following

Taxing State property.

Proviso.

Proviso.

the year in which such bills are payable by individual property owners.

2. This act shall take effect immediately.

Approved June 3, 1937.

CHAPTER 169

AN ACT to amend an act entitled "An act providing for the retirement of certain county employees in counties of the first class of the State and providing a pension for such retired county employees and their dependents," approved April twenty-second, nineteen hundred and twenty-nine.

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

Section 9 amended.

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

Employee defined.

9. The words "county employee" or "employee", as used in this act, shall mean and include all employees and officers in service in any county of the first class of this State, and of any county board, body or commission maintained out of county funds, in such counties of the first class, not including laborers, unless such labor work is paid on a monthly or annual salary basis for a continuous employment of such labor and recognized as permanent appointees, it being the intent to exclude transient labor from the operation of this act; the words "county employee" or "employee" shall not be held to include any member of the police department or fire department. The pension commission shall have it in their power to determine whether or not the employment of any employee as aforesaid is permanent within the meaning of this act. Notwithstanding the provisions of an act entitled

"An act concerning the employment of persons by the State of New Jersey, or of any county or municipality thereof," approved April fourteenth, nineteen hundred and thirty, known as chapter one hundred and four of the laws of ninteen thirty, as amended and supplemented, any person heretofore or hereafter accepting any employment in the county under the age of forty-five years shall be eligible to join as a "county employee" or "employee", as hereinabove defined. Eligible to join.

2. Section twelve of the act to which this act is an amendment be and the same is hereby amended to read as follows: Section 12 amended.

12. Any such county employee, now or hereafter in the service of any county of the first class of this State, may, within thirty days after the passage of this act, or within thirty days after permanent appointment, as the case may be, at his or her option notify the pension commission in writing that he or she does not desire to be bound by the provisions of this act, and in such event no deductions, as aforesaid, shall be made from the salary of such county employee, nor in such event shall any pension be paid to any such employee or his dependents as aforesaid under this act. From and after the passage of this act, any such county employee who has heretofore declined to be bound by the provisions of the act, may, notwithstanding such declination, within six months after the passage of this act, become a member of said fund upon payment into the fund, in such manner as shall be determined by the pension fund commission, all arrears, with interest, as the pension fund commission shall determine to be due in order to give such employee the same standing as a member of said fund as all other members who joined said pension fund when the act to which this act is an amendment became effective. The maximum rate of interest shall not exceed the average rate of earnings of the investments of said fund. The maximum length of time for the payment of arrears shall be five years from the date of the application to join the fund. From

Notice of desire not to join.

No pension.

May become member.

Payment of arrears and interest.

and after the passage of this act, any such county employee who has heretofore declined to be bound by the provisions of the act, may, notwithstanding such declination, become a member of said fund upon written application and the regular deductions from the salary of such employee shall commence upon the filing of such written application; *provided, however,* that such employee, nor his or her dependents, shall not be entitled to any of the benefits of this act for a period of five years from the date of his acceptance into the fund as aforesaid.

Proviso.

3. This act shall take effect immediately.

Approved June 3, 1937.

CHAPTER 170

AN ACT to amend an act entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes' (Revision of 1918), approved March fourth, one thousand nine hundred and eighteen," and which said supplement was approved April third, one thousand nine hundred and thirty-six.

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

Section 2 substituted.

1. By striking out section two and inserting in place thereof the following:

Certain college organizations not exempt from taxation.

2. Nothing herein contained shall be construed to permit the exemption of property owned directly or indirectly, or for the benefit of, organizations commonly known and designated as college clubs, or college lodges, or college fraternities.

Section 3 added.

2. By adding a new section to be known as section three and to read as follows:

Repealer.

3. All acts and parts of acts, general and special, inconsistent with this act be and the same are hereby repealed.

Approved June 3, 1937.

CHAPTER 171

AN ACT to amend an act entitled "An act to define, license and regulate the business of making loans or advancements in the amount or of the value of three hundred dollars ($300.00) or less, secured or unsecured, at a greater rate of interest than the lender would be permitted by law to charge if not licensed hereunder, prescribing the rates of interest and charges therefor and penalties for the violation thereof, regulating the assignment of wages or salaries, earned or to be earned, when given as security for any such loan or as consideration for a payment of three hundred dollars or less, providing for the administration of this act and the disposition of license fees, authorizing the making of examinations and investigations and the publication of reports thereof, and to repeal an act entitled 'An act to define, regulate and control the business of the making of loans or advancements of money in sums of three hundred (300) dollars or less in amount, and to regulate the assignment of wages when given as security for any such loan or advancement,' approved March twenty-third, one thousand nine hundred and fourteen, otherwise known as chapter forty-nine of the laws of one thousand nine hundred and fourteen of New Jersey; and to repeal an act entitled 'An act to amend an act entitled "An act to define, regulate and control the business of the making of loans or advancements of money in sums of three hundred (300) dollars or less in amount, and to regulate the assignment of wages when given as

security for any such loan or advancement,'' approved March twenty-third, one thousand nine hundred and fourteen,' approved April third, one thousand nine hundred and twenty-eight, otherwise known as chapter two hundred and fifty-one of the laws of one thousand nine hundred and twenty-eight of New Jersey; and to repeal an act entitled 'An act to amend an act entitled ''An act to define, regulate and control the business of the making of loans or advancements of money in sums of three hundred dollars ($300.00) or less in amount, and to regulate the assignment of wages when given as security for any such loan or advancement,'' approved March twenty-third, one thousand nine hundred and fourteen,' approved May sixth, one thousand nine hundred and twenty-nine, otherwise known as chapter two hundred and ninety-three of the laws of one thousand nine hundred and twenty-nine of New Jersey; and to repeal all acts and parts of acts, whether general, special, or local, insofar as they relate to the same subject matter as this act.''

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

Section 17 amended.

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

Assignment of wages, etc.

17. No assignment of or order for payment of any salary, wages, commission, or other compensation for services, earned or to be earned, given to secure any loan made by any licensee under this act, shall be valid unless the amount of such loan is paid to the borrower simultaneously with its execution; nor shall any such assignment or order, or any chattel mortgage or other lien on household furniture then in the possession and use of the borrower, be valid unless it is in writing, signed in person by

the borrower, nor if the borrower is married unless it is signed in person by both husband and wife; *provided,* that written assent of a spouse shall not be required when husband and wife have been living separate and apart for a period of at least five months prior to the making of such assignment, order, mortgage, or lien.

Proviso.

Under any such assignment or order for the payment of future salary, wages, commissions, or other compensation for services, given as security for a loan made by any licensee under this act a sum equal to ten per centum (10%) of the borrower's salary, wages, commissions, or other compensation for services shall be collectible from the employer of the borrower by the licensee at the time of each payment to the borrower of such salary, wages, commissions, or other compensation for services, from the time that a copy of such assignment, verified by the oath of the licensee or his agent, together with a similarly verified statement of the amount unpaid upon such loan, is served upon the employer.

Garnishment.

No assignment of or order for wages earned or to be earned in the future by any municipal or county employee to secure a loan for advancement of three hundred dollars ($300.00) or less shall be valid against any municipality or county employing the person making such assignment or order unless such assignment or order is accepted in writing by said municipality or county.

Assignment not valid unless accepted by county, etc.

2. All acts or parts of acts either general or special, inconsistent with the provisions of the foregoing are hereby repealed.

Repealer.

3. This act shall take effect immediately.

Approved June 3, 1937.

CHAPTER 172

AN ACT to enable municipalities bordering on the Atlantic ocean to lease, rent or hire the whole or any part of public parks, recreation grounds or places of public resort, or any building or portion thereof located therein, and to let out any privileges therein for a term of years.

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

May lease property.

1. The governing body of every municipality bordering on the Atlantic ocean may lease, rent or hire, the whole or any part of any public parks, recreation grounds or places of public resort, owned by it and not presently needed by the municipality for municipal purposes, or any building or portion thereof located therein for any period not exceeding five years.

Leasing.

2. The governing body may let out to any person or persons, corporation or corporations, any privileges in any public parks, recreation grounds or places of public resort, upon such terms and conditions as it may prescribe.

Lease voided.

3. Upon the violation of the terms upon which any lease or privilege is granted, the same shall become void and said governing body shall have power to so declare and may re-enter any place so leased and prevent the exercise of any privilege so forfeited.

Letting to highest bidder.

4. Any such letting shall be to the highest responsible bidder therefor.

Advertising.

5. Any such letting shall be advertised in some newspaper circulating in the municipality at least ten days prior to the receipt of bids.

Additional power.

6. The power conferred herein is in addition to those given by any other act or acts.

7. This act shall take effect immediately.

Approved June 3, 1937.

CHAPTER 173

AN ACT to repeal an act entitled "An act providing for the assessment and taxation of lands owned by or held in trust for the State for park purposes," approved December seventh, one thousand nine hundred and thirty-three, and providing for the refund or credit towards future taxes to municipalities making payments under said law.

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

1. An act entitled "An act providing for the assessment and taxation of lands owned by or held in trust for the State for park purposes," approved December seventh, one thousand nine hundred and thirty-three, and known as chapter four hundred and thirty-eight of the laws of one thousand nine hundred and thirty-three, be and the same is hereby repealed. Chap. 438, P. L. 1933, repealed.

2. Wherever any municipality has made payment of State, State school and county taxes based on ratables created by the act repealed by this act and when said municipality has failed to receive from the State of New Jersey any appropriation as provided for in the act of which this act is a repealer, said municipality shall be permitted to receive a refund from the State of New Jersey or be permitted to credit payments made under said act towards future State, State school and county taxes. Refund.

3. This act shall take effect immediately.

Approved June 3, 1937.

CHAPTER 174

AN ACT to regulate the transportation of anthracite over the highways of this State.

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

Definitions:

1. For the purpose of this act the following words shall be deemed to have the meaning herein given:

Department;

(a) "Department" shall mean the State Department of Weights and Measures.

Person;

(b) "Person" shall be construed to include any individual, partnership, unincorporated association, corporation or other form of business enterprise.

Weights and measures officers.

(c) "Weights and measures officers" shall be construed to include the State Superintendent of Weights and Measures or his assistants or inspectors, county or assistant county superintendents of weights and measures or inspectors, and municipal or assistant municipal superintendents of weights and measures or inspectors.

Anthracite to be accompanied by certificate of origin.

2. It shall be unlawful for any person to transport over the highways of this State any anthracite brought into this State by motor vehicle directly from the breaker, colliery, yard or other place of storage or production, outside of this State unless such anthracite when it crosses any boundary line of this State and at all times thereafter during the transportation thereof over the highways of this State is accompanied by an original certificate of origin signed by the person who is the owner or operator of the breaker, colliery, yard or other place of production or storage, or his duly authorized agent, where the anthracite to which the certificate of origin refers was produced or stored and also signed by the person driving or operating the motor vehicle on which said anthracite is transported into this State.

Certificate to show:

3. The certificate of origin shall contain the following:

Source;

(a) The name or names and location of, and the name or names of the owners or operators of, the breaker, colliery, yard or other place of production or storage where the anthracite to which the certificate refers has been produced or stored.

Kind and weight;

(b) The kind, size and weight of the anthracite.

Owner;

(c) The name and address of person claiming ownership of said anthracite.

Driver and motor number;

(d) The name and address of the driver of the motor vehicle transporting said anthracite and the State motor vehicle registration number of said vehicle.

Consignee.

(e) The name and address of the person or persons to whom said anthracite is to be delivered.

Certificates issued by superintendent.

4. The certificates of origin as herein provided shall be issued only on forms to be supplied, on application therefor, by the superintendent of the department, shall be serially numbered and issued consecutively. A nominal charge to cover the cost of supplying such forms may be made by the superintendent. Said certificates of origin shall be nontransferable and any person who has in his possession or who files with a weighmaster a false certificate of origin shall be deemed guilty of a violation of this act.

Nontransferable.

Duplicate certificate filed with weighmaster.

5. Any person bringing anthracite into this State directly from the breaker, colliery, yard or other place of production or storage outside of this State and said anthracite is to be sold or delivered within the boundaries of this State shall file a duplicate original of the required certificate of origin with the weighmaster in charge of the scales where said person has said anthracite weighed in accordance with the requirements of the laws of this State, and such duplicate originals of said certificates of origin shall be retained at such scales for a period of one year and shall be open to inspection by any weights and measures officer.

License revoked for selling, etc., stolen anthracite.

6. The superintendent of the department shall revoke the license of any person licensed to sell solid fuel in this State who buys, sells or transports stolen anthracite within this State and shall issue to such person no further license to sell solid fuel in this State for a period of at least one year from the date of revocation.

Enforcement.

7. All weights and measures officers in this State, in addition to their various duties now provided for by law, are hereby charged with the duty of enforcing and executing the provisions of this act.

Penalty.

8. Any person who violates any of the provisions of this act shall upon being found guilty of such offense pay a fine of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00) or if unable to pay such fine shall be committed to a county jail for a period not to exceed ninety days.

Recovery of penalty.

9. The procedure for the recovery of any penalty incurred under the provisions of this act shall be the same as the procedure specified in an act entitled "An act to amend and supplement an act entitled 'An act to establish a uniform standard of weights and measures in this State, to establish a Department of Weights and Measures and to provide penalties for the use of other than standard or legal weights and measures,' approved April twenty-fourth, one thousand nine hundred and eleven," approved April first, one thousand nine hundred and thirteen. Jurisdiction of all cases arising out of violations of the provisions of this act is hereby conferred upon all justices of the peace, judges of the city criminal courts, police judges and recorders located in the county in which such violations are committed.

Courts of jurisdiction.

10. This act shall take effect immediately.

Approved June 3, 1937.

CHAPTER 175

AN ACT to regulate the sale and delivery of solid fuel as herein defined.

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

1. For the purpose of this act the following words shall be deemed to have the meaning herein given them: Definitions:

(a) "Department" shall mean the State Department of Weights and Measures. Departments;

(b) "Solid fuel" shall mean any anthracite, semianthracite, bituminous, semibituminous, or lignite coal, briquettes, boulets, coke, gas house coke, petroleum coke, petroleum carbon or any other manufactured or patented fuel not sold by liquid or metered measure. Solid fuel;

(c) "Ton" shall mean the net ton of two thousand pounds (2,000) avoirdupois. Ton;

(d) "Vehicle" shall mean any truck, wagon, cart or other conveying device using the streets, alleys or other thoroughfares in this State, but not including railroad cars. Vehicle;

(e) "Equipped dealer" shall mean any person who is regularly engaged in the sale, or sale and delivery of solid fuel; maintains unloading, storage and service facilities commensurate with the nature of the business; is equipped with and using wagon or truck scales, or other approved weighing or measuring devices, of sufficient size and capacity and maintained in condition accurately to weigh the maximum load for which they are utilized; maintains an office accessible to the public with a competent person on duty, and regularly carries a stock of solid fuel. Equipped dealer;

(f) "Unequipped dealer" shall mean all other persons engaged in the sale, delivery, or sale and delivery of solid fuel. Unequipped dealer;

Person; (g) "Person" shall be construed to include any individual, partnership, unincorporated association, corporation or other form of business enterprise.

Weights and measures officers; (h) "Weights and measures officers" shall be construed to include the State Superintendent of Weights and Measures or his assistants or inspectors, county or assistant county superintendents of weights and measures or inspectors, and municipal or assistant municipal superintendents of weights and measures or inspectors.

Magistrate. (i) "Magistrate" shall be deemed and understood to mean and include all justices of the peace, judges of the city criminal courts, police judges, recorders, mayors, and other officers having powers of a committing magistrate; *provided, however,* that no justice of the peace shall sit as magistrate under this act within the corporate limits of any municipality within this State having a police judge, police justice, recorders' court or city criminal court.

Proviso.

Unlawful to sell without complying with act. 2. It shall be unlawful for any person to sell, deliver, or sell and deliver, or weigh or issue weight certificates for, solid fuel in this State except in accordance with the provisions of this act.

Enforcement. 3. All weights and measures officers in this State, in addition to their various duties now provided for by law, are hereby charged with the duty of enforcing and executing the provisions of this act. Inspectors shall report to and work under the jurisdiction of the county or municipal superintendents; *provided,* if any county or municipal superintendent is not available or deems it inadvisable to sign a complaint, inspectors shall have the power to sign such complaints.

Report.

Proviso.

Rules and regulations. 4. The superintendent of the department shall have general supervision of the administration of this act and shall make such rules and regulations as he may deem necessary for its enforcement.

Licenses. 5. It shall be unlawful for any person to engage in the business of selling, delivering, or selling and

delivering solid fuel in this State unless he shall have obtained from the department a license to engage in said business and a license plate for each vehicle owned and used by him for the delivery of solid fuel. Application for said license and license plate or plates shall be made upon a form to be supplied by the superintendent of the department and it shall be the duty of said superintendent to issue such license to such applicant for each calendar year or fraction thereof in which said business is conducted, upon the payment of a fee of ten dollars ($10.00) for any one year or fraction thereof, and to issue, for such calendar year or fraction thereof, a license plate for each vehicle so owned and used by the applicant, together with a certificate of the issuance of such license plate, upon the payment of one dollar ($1.00) for each vehicle so owned and used, in excess of one vehicle, and said certificate shall contain the name and address of the owner of the vehicle, together with a description of the character of the vehicle and the motor number. The holder of such certificate or the operator of such vehicle, when requested to do so by any weights and measures officer, shall exhibit such certificate, in order that such weights and measures officer may determine the correctness of said certificate. It shall be unlawful for any person to engage in the business aforesaid without having on display in his place of business a certificate of such license, which shall be issued by said superintendent, and no person shall use any vehicle to deliver solid fuel without such license plate being securely and conspicuously attached to said vehicle and no such license plate shall be transferable or interchangeable. No license plate shall be issued to any person for any vehicle not owned by him; *provided, however,* that liens or encumbrances on any vehicle shall not be deemed to deprive the owner of a right to a license plate for such vehicle; *and provided, further,* that in emergencies growing out of ex-

Application.

Fee.

Name and address of owner. Certificate shown upon request.

License displayed.

Issued to owner. Proviso.

Proviso, emergency plates.

treme weather conditions, upon application to the department by any person regularly licensed under the provisions of this section, additional vehicle plates shall be issued forthwith upon the payment of one dollar ($1.00) for each plate, and any such plate may be attached to any vehicle leased or otherwise employed by any licensee. Such emergency plates must be removed and returned to the department when the emergency has passed. Every license and license plate issued under the provisions of this section shall expire, and the certificates thereof become void on the thirty-first day of December of each year, and the superintendent of the department shall issue licenses, license plates and certificates for the following year on and after November first of each year, such licenses, license plates and certificates so issued not to be used until the fifteenth day of December of the year preceding the year for which they are issued. The superintendent of the department shall designate county and municipal superintendents of weights and measures as issuing agents through whom the licenses, license plates and certificates herein provided may be issued to applicants in their respective counties or municipalities. All moneys collected by said county or municipal superintendents shall be transmitted to the State superintendent on or before the twenty-fifth day of the month following date of issue.

Fee.

Expiration.

Issuance of new licenses.

Disposition of money collected.

No motor vehicle shall be used for the transportation of solid fuel in this State unless the name of the owner thereof and the municipality in which his place of business is located is conspicuously displayed on the vehicle in letters at least six inches high; any person violating this provision shall pay a penalty of not more than ten dollars ($10.00) and for failure to forthwith pay such penalty, shall be imprisoned in the county jail for a period not exceeding five days.

Name and location of business displayed.

Penalty.

6. All solid fuel shall be sold by weight. It shall be unlawful for any person to sell or deliver or

Selling regulations.

start out for delivery less than two thousand (2,000) pounds by weight to the ton of solid fuel or a proper proportion thereof when the quantity to be delivered is less than a ton, and such solid fuel shall, except as otherwise herein provided, be duly weighed by a weighmaster designated to weigh solid fuel on stationary scales suitable for weighing solid fuel, which have been tested and sealed by any authorized weights and measures officer.

Unequipped dealers supplied with certificate.

7. Unequipped dealers engaged in the sale, or sale and delivery of solid fuel in this State purchased from and weighed over the scales of an equipped dealer or wholesale pocket dealer in this State shall be furnished with weight certificates signed by the weighmaster of such equipped dealer or wholesale pocket dealer as provided in section nine of this act on forms of such unequipped dealers.

Weighed on tested scales.

8. Unequipped dealers engaged in the sale and delivery of solid fuel in this State, except as provided in section seven hereof, shall have such solid fuel weighed on scales tested and approved by the proper weights and measures officers. The owner of the scales on which such weighing is made shall furnish each unequipped dealer with a weight certificate, as provided in section nine of this act, for each load or for each separate part of a load, on forms of such unequipped dealers, signed by the weighmaster of such owner, and a copy of each such weight certificate shall be retained at the scales where such weighing is done for a period of one year and shall be subject to inspection by any weights and measures officer. The owner of the scales shall keep, on forms approved by the superintendent of the department, an accurate record of all weighings made and such record shall be open to inspection by any weights and measures officer, for a period of one year.

Weight certificate furnished.

Record.

Each load to have weight certificate.

9. It shall be unlawful for any person to deliver or cause to be delivered or to be started out for

delivery any solid fuel without each lot in each separate compartment of any vehicle being accompanied by a weight certificate issued by a certified weighmaster duly designated to weigh solid fuel under the provisions of this act, on which shall be distinctly expressed:

Contents of certificate.

(a) In pounds the gross weight of the solid fuel and the vehicle in which it is contained.

(b) In pounds the tare weight or the weight of the vehicle without load.

(c) In pounds the net weight of the solid fuel.

(d) The kind and size of the solid fuel.

(e) The name and address of the purchaser.

(f) The name and address of the seller.

(g) The plate number of the vehicle as provided in section five of this act.

(h) The signature and seal of the weighmaster designated to weigh solid fuel, by whom weighed and the date weighed.

(i) The number of bags or sacks, when bags or sacks are representative of the quantity contained in the vehicle.

The tare and gross weights as certified on the weight certificate shall be taken on the same scales.

Delivery ticket.

The weight certificate as herein defined may be issued on the sellers' forms, which shall be known as "delivery tickets". Each such delivery ticket shall be issued in triplicate, shall be serially numbered and shall be used only in consecutive order. One copy of said delivery ticket shall be left with the purchaser of the solid fuel or his agent, and the third copy shall be retained at the scales during the time when the solid fuel represented by such ticket is in course of actual delivery, and all voided delivery tickets in triplicate and one copy of each delivery ticket issued under the provisions of this act shall be kept on file at the place of business of the seller for a period of one year from date of issuance and shall be subject to inspection by any weights and measures officer.

Seal.

When the impression of the official seal of any

weighmaster appears on a delivery ticket or weight certificate it shall be prima facie evidence that such impression was made by said weighmaster.

Variance of delivery tickets a violation.

Any person issuing or directing the issuance of, or possessing delivery tickets showing different weights or sizes for the same delivery, or persons appearing at the place of delivery, each with a delivery ticket for the same delivery, which tickets have different weights or sizes appearing thereon, shall be deemed guilty of a violation of the provisions of this act.

Proviso.

Provided, however, that when solid fuel is sold in packages of one hundred (100) pounds or less the provisions of this section shall not apply if the solid fuel is delivered in closed containers or closed bags and the net contents of such bag or container expressed in pounds is plainly and conspicuously stamped or printed thereon, together with the name and address of the person packaging said solid fuel.

Proviso.

Provided, further, that when solid fuel is sold in bulk in lots of one hundred (100) pounds or less, the provisions of this section shall not apply when such solid fuel is weighed upon scales which have been tested and sealed by any weights and measures officer and a delivery ticket is left with the purchaser showing the date of sale, name and address of the seller and the weight of the solid fuel expressed in pounds.

Proviso.

And further provided, that this section shall not apply to the sale of a boatload or railroad carload of solid fuel delivered direct from the boat or car to one purchaser and accepted as to weight by the purchaser on the bill of lading or other voucher issued by the carrier.

Substitute purchaser.

10. Where any person shall be unable to deliver solid fuel to the purchaser originally designated in the weight certificate, he may, by direction of any weighmaster, designated to weigh solid fuel, substitute the name and address of another purchaser; *provided,* that report of such substitution is made within twenty-four hours to the weighmaster who issued the original weight certificate.

Proviso.

Weighing fuel in process of delivery.

11. Any weights and measures officer who finds any quantity of solid fuel ready for or in process of delivery may direct the person in charge of the solid fuel to convey the same to the nearest available accurate scales designated by said officer. Such officer shall thereupon determine the weight of the solid fuel and the vehicle on which it is carried and shall direct such person in charge to return to such scales forthwith upon unloading the solid fuel and upon such return the officer shall determine the weight of the vehicle without load. It shall be unlawful for any person in charge of a vehicle containing such solid fuel or from which such solid fuel has been unloaded to fail to take the vehicle upon the direction of said officer to the scales as aforesaid or refuse to permit the solid fuel or vehicle to be weighed by such officer.

Unlawful to issue certificate.

12. It shall be unlawful for any person to make or issue a weight certificate for solid fuel unless certified as a weighmaster by the superintendent of the department under the provisions of an act entitled "An act providing for the appointment of weighmasters and defining their powers and duties," approved April nineteenth, one thousand nine hundred and twenty, and the acts amendatory thereof and supplementary thereto, and duly designated by said superintendent to weigh solid fuel in accordance with the provisions of this act, and a public weigher shall not be permitted to weigh solid fuel unless designated to do so under the provisions of this act. Application for a certificate of designation shall be made upon a form prescribed by the said superintendent; the applicant shall furnish satisfactory evidence of good moral character and of ability to weigh accurately, and to make correct weight certificates, and shall indicate the place where the applicant shall perform his function as a weighmaster designated to weigh solid fuel and the type and capacity of the scale or scales to be used by the applicant; *provided,* that, when the applicant is an equipped dealer or

Application for certificate as weighmaster.

Proviso.

an employee of an equipped dealer having two or more yards, he may be designated to weigh upon any or all of the scales in the said yard or yards; *and provided, further,* that no certificate of designation shall be issued to any applicant unless he is the owner of the scales at the place designated in his application, or a bona fide employee of the owner of such scales. The period of the certificate of designation to weigh solid fuel shall run concurrently with the term of the applicant as weighmaster and shall expire on the date of the expiration of said term. Each certificate of designation shall be kept at the place where the weighmaster is engaged in weighing solid fuel and shall be open to inspection, and shall state the type, capacity and location of the scale or scales upon which he is designated to weigh solid fuel. Upon notice to a weighmaster, his certificate of designation may be revoked by the superintendent of the department, after hearing, for dishonesty, incompetency, inaccuracy or for any violation of the provisions of this act, or for any misrepresentation in his application for the said certificate; and the said certificate shall become invalid when for any reason he is no longer employed at the place of weighing for which the certificate was issued.

Proviso.

Expiration.

Certificate kept at place of business.

Revocation of certificate.

Provided, further, that in any case where a certificate of designation has been revoked any person shall be authorized to substitute, at the place for which said revocation was made, another weighmaster in his employ and duly designated as such under the provisions of this act, pending disposition by the superintendent of the department of a new application for designation of a new applicant as weighmaster to weigh solid fuel at the place for which the certificate of designation has been revoked; *and provided, further,* that the said new application must be forwarded to the superintendent of the department within five days of the substitution of another weighmaster designated to weigh solid fuel.

Proviso.

Proviso.

Absence, etc., of weighmaster:

In case of the death, absence or inability to act of a weighmaster designated to weigh solid fuel, any person may substitute for such deceased or absent weighmaster another weighmaster in his employ and duly designated as such under the provisions of this act; *provided,* that immediate notice of such substitution be reported by said person to the superintendent of the department; *and further provided,* that any such substitute shall not be authorized to continue as weighmaster at the place of substitution for a period in excess of thirty days unless with the written consent of the superintendent of the department.

Proviso.

Proviso.

Disposition of license fees.

13. All license fees required to be collected by the superintendent of the department under the provisions of this act shall be turned over to the Treasurer of the State of New Jersey who shall itemize and report separately in his annual report all income so received. During the months of January and July of each year, commencing in the month of January, one thousand nine hundred and thirty-eight, the Treasurer shall determine from the superintendent of the department the total amount of monies collected under the provisions of this act in each county and each municipality in which there is established a municipal department of weights and measures in accordance with the provisions of an act entitled "An act to establish a uniform standard of weights and measures in this State, to establish a department of weights and measures, and to provide penalties for the use of other than standard or legal weights and measures," approved April twenty-fourth, one thousand nine hundred and eleven, and the acts amendatory thereof or supplemental thereto, and shall thereupon during said months disburse and pay to the fiscal officer of each such county or municipality fifty per centum (50%) of such total amount of monies collected therein. The counties and municipalities shall appropriate the monies so received for the sole and exclusive use of the respective departments of weights and measures.

Payments to counties and municipalities.

Use of money.

14. It shall be unlawful: Unlawful to:

(a) For any weighmaster to issue a false or incorrect weight certificate or for any person to solicit him so to do. Issue false certificates;

(b) For any weighmaster to permit any weight certificate to be issued or used which purports to bear his signature or seal but which was not in fact signed or sealed by him or which expresses a weight not ascertained by him. Permit use of name;

(c) For any person to use a false or incorrect weight certificate or to use a certificate not bearing the signature and seal of a weighmaster designated to weigh solid fuel. Use incorrect weight;

(d) For any person to deliver solid fuel in any vehicle not having securely and conspicuously attached thereto a license plate as provided in this act. Deliver without license plate;

(e) For any person to deliver solid fuel without a weight certificate. Deliver without weight certificate;

(f) For any person to fail, neglect, or refuse to deliver a correct and lawful weight certificate to the purchaser of solid fuel. Refuse a weight certificate;

(g) For any person to permit any diminution of the load of solid fuel after the weight thereof has been certified by a weighmaster designated to weigh solid fuel and before its delivery to the purchaser or purchasers thereof. Permit diminution of load;

(h) For any person to deliver or cause to be delivered less than the quantity of solid fuel represented in the weight certificate accompanying such solid fuel as provided in this act. Deliver less than shown on certificate.

Any person violating any of the provisions of this section of this act herein specified respectively as (a), (b) and (c) shall, upon being found guilty of such offense, pay a fine of not less than one hundred dollars ($100.00), nor more than five hundred dollars ($500.00). Penalties under sections (a), (b) and (c).

Any person violating any of the provisions of this section of this act herein specified respectively as (d), (e) and (f) shall, upon being found guilty of such offense, pay a fine of not less than twenty- Penalties under sections (d), (e) and (f).

five dollars ($25.00), nor more than fifty dollars ($50.00).

Penalties under sections (g) and (h).

Any person violating either of the provisions of this section of this act herein specified as (g) and (h) shall, upon being found guilty of such offense, pay a fine of not less than twenty-five dollars ($25.00), nor more than fifty dollars ($50.00), and shall, upon being found guilty of a second similar offense, pay a fine of not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00), and shall, upon being found guilty of any subsequent similar offense, pay a fine of not less than one hundred dollars ($100.00), nor more than two hundred dollars ($200.00).

Sundry penalties.

Any person who violates any provision of this act not specified in this section shall, upon being found guilty of such offense, pay a fine of not less than twenty-five dollars ($25.00), nor more than fifty dollars ($50.00). Any person unable to pay a fine imposed under the provisions of this act shall be committed to jail for a period not to exceed sixty days.

Recovery of penalties.

15. An action to recover any penalty incurred under the provisions of this act may be brought in the name of the State of New Jersey by any duly appointed weights and measures officer by complaint in writing, duly verified by such weights and measures officer, which verification may be upon information and belief, or may be verified by the complaining witness to be filed with any magistrate of any municipality in this State alleging the violation in said municipality of any of the provisions of this act or acts supplementary thereto or amendatory thereof, who is hereby authorized to issue a summons returnable in from one to ten days from the date thereof, same to be served not less than two days prior to the return thereof, or a warrant directed to any weights and measures officer, or to any constable or police officer, commanding him to cause the person or persons so complained of to be summoned or arrested and

brought before such magistrate, who shall at the return of the said summons or warrant forthwith in a summary way hear and determine the guilt or innocence of such person or persons, and upon conviction shall impose upon such person or persons so convicted the penalty or penalties prescribed for such offense, together with the cost of prosecution of the proceedings before such magistrate, and if any person or persons shall fail to pay the penalty or penalties, so imposed, together with the costs of prosecution, execution shall be issued against his or their goods and chattels, body or bodies without any order of the court for that purpose first had and obtained. If the officer executing any such writ shall be unable to find sufficient goods and chattels of said defendant or defendants in his bailiwick to make the amount of said judgment and costs, he shall take the body of the defendant or defendants and deliver him or them to the keeper of the common jail of said county for a period not to exceed ten days, except as may be otherwise in this act in this respect provided; or until said penalty and costs are sooner paid; *provided, however,* that the defendant or defendants may be released upon order of the magistrate before the expiration of any imprisonments, prescribed in default of payment of any judgment, upon the written order of the committing magistrate or a justice of the Supreme Court, in the discretion of said judicial officer, after one day's notice of time and place of application for such order to the State Superintendent of Weights and Measures. It shall be the duty of the city attorney of any municipality wherein such violation shall take place to assist in the prosecution of the same, unless such municipality has no such municipal superintendent of weights and measures as provided for in section ten of chapter two hundred nine, laws of one thousand nine hundred and twenty, in which case the public prosecutor or the county wherein such violation shall take place shall

Hearing.

Arrest.

Proviso.

City attorney to help prosecute.

Disposition of fines.

assist in such prosecution. All fines and penalties collected from persons offending against the provisions of this act shall be paid by the magistrate receiving the same, when recovered by a State weights and measures officer, to the State Treasurer; when recovered by a county weights and measures officer, to the county collector of such county; and when recovered by a municipal weights and measures officer, to the municipality which such officer represents.

Arresting without warrant.

For violation of any of the provisions of this act, done within the view of any weights and measures officer, such weights and measures officer is authorized, without warrant, to arrest the offender or offenders and to conduct him or them before any magistrate having jurisdiction in such county wherein such arrest is made and offense committed, and such magistrate is hereby authorized and required on verified complaint in writing, setting forth the nature of the offense for which said arrest was made, to be filed then and there with such magistrate, before the commencement of the hearing, to hear and determine in a summary way the guilt or innocence of such person or persons, and inflict the penalties provided by law.

Appeal.

Any party to any proceeding instituted under this act may appeal from the judgment or sentence of the magistrate to the court of common pleas of the county in which the said proceedings take

Proviso.

place; *provided,* that the party appealing shall, within ten days after the date of the said judgment, file a written notice of appeal with the magistrate, pay the costs of such proceedings, and deliver to such magistrate a bond to the opposite party in double the amount of the judgment appealed from, with at least one sufficient surety, conditioned to prosecute the said appeal and to stand to and abide by such further order or judgment as may hereinafter be made against said party, which appeal shall act as a stay of execution, unless said appeal shall be dismissed for want of jurisdiction

in the court appealed to, in which case the magistrate may issue execution as in this act provided upon the remanding and dismissal of the appeal papers to said magistrate with certified copy of the order of dismissal as aforesaid.

Records transmitted.

Whenever an appeal shall be taken as aforesaid, it shall be the duty of the magistrate, to send all papers, together with a transcript of the proceedings in the case to the next term of the court of common pleas of the said county, if at least five days shall intervene between the rendition of said judgment and the commencement of said term of court; but, if otherwise, then said proceeding shall be brought on and heard at the next subsequent term of said court which court shall hear and determine such appeal in the same way and manner as said case was heard and determined by such magistrate, who shall render final judgment therein, upon which judgment in case of affirmance of conviction, execution directed to the sheriff as herein provided, may issue; *provided, however,* that if the defendant shall be committed to jail under any execution provided for in this act, on failure to pay the amount due of penalty and costs, such commitment shall be construed as a waiver and release of any appeal bond previously given in the proceeding.

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Provisions severable.

16. The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of the act. It is hereby declared to be the intention of the Legislature that this act would have been adopted had such unconstitutional provision not been included herein.

Repealer.

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

18. This act shall take effect immediately.

Approved June 3, 1937.

CHAPTER 176

A SUPPLEMENT to an act entitled "An act providing for the appointment of weighmasters and defining their powers and duties," approved April nineteenth, one thousand nine hundred and twenty.

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

Inspection of scales outside the State.

1. The State Superintendent of Weights and Measures may designate any weighmaster duly appointed under the provisions of the act to which this act is a supplement, to weigh commodities on approved scales at points located not more than one mile outside of the State, and certificates of weight issued by such weighmasters shall have the same force and effect as certificates issued under the provisions of the act to which this act is a supplement; *provided, however,* that any weighmaster designated under this act shall at all times continue to be a resident of the State of New Jersey.

Proviso.

2. This act shall take effect immediately.

Approved June 3, 1937.

CHAPTER 177

AN ACT making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and thirty-eight, and regulating the disbursement thereof.

ANTICIPATED REVENUES OF THE GENERAL STATE FUND FOR THE FISCAL YEAR 1937-38

Estimated free balance, July 1, 1937	$200,000 00	Free balance.

Revenues

Transfer inheritance taxes	$7,200,000 00	Anticipated revenues.
Main Stem R. R. taxes	10,300,000 00	
Miscellaneous corporation taxes	3,700,000 00	
Beverage taxes	8,500,000 00	
Beverage licenses	600,000 00	
Foreign insurance corporation tax.	2,000,000 00	
Fertilizer inspection fees, et cetera	45,000 00	
Department of Banking and Insurance	975,000 00	
Secretary of State	325,000 00	
Clerk in Chancery	375,000 00	
Clerk of the Supreme Court	165,000 00	
Interest on deposits	60,000 00	
Real Estate Commission	85,000 00	
Commissioner of High Point Park	10,000 00	
State Board of Beauty Culture Control	50,000 00	
Commissions	43,000 00	
Judicial fees	25,000 00	
Board of Commerce and Navigation	6,500 00	
Shell fisheries	36,000 00	

Department of Labor	55,000 00
Dividends	20,000 00
Athletic Commissioner	60,000 00
State Auditor	110,000 00
Municipal Finance Commission	30,000 00
Department of Health	75,000 00
Laboratory	1,500 00
Tenement House Supervision	3,000 00
Board of Fish and Game Commission	325,000 00
Department of Conservation and Development	20,000 00
Board of Public Utility Commissioners	1,500 00
State Tax Department, Public Utility Division	16,060 00
Department of Weights and Measures	10,000 00
Academic Certificate Fund	17,500 00
Manual Training and Industrial School for Colored Youth	65,000 00
School for the Deaf	1,500 00
State Normal School, Glassboro:	
Extension course fees	8,700 00
Tuition fees	32,500 00
State Normal School, Jersey City:	
Extension course fees	2,000 00
Tuition fees	40,600 00
State Normal School, Newark:	
Extension course fees	19,500 00
Tuition fees	50,000 00
State Normal School, Paterson:	
Extension course fees	3,500 00
Tuition fees	30,000 00
State Teachers College, Montclair:	
Extension course fees	32,000 00
Tuition fees	80,000 00
Boarding hall fees	68,000 00
State Teachers College, Trenton:	
Extension course fees	8,500 00
Tuition fees	73,000 00

Boarding hall fees	100,000 00
State Board of Examiners	17,000 00
Agricultural Experiment Station	75,000 00
Department of Agriculture	30,000 00
Rehabilitation Commission	10,000 00
Colony for Feeble-Minded Males, New Lisbon	160,000 00
Colony for Feeble-Minded Males, Woodbine	107,000 00
Home for Disabled Soldiers, Menlo Park	6,500 00
Home for Disabled Soldiers, Vineland	9,000 00
North Jersey Training School, Totowa	110,000 00
Reformatory at Annandale	2,000 00
Reformatory at Rahway	500 00
Sanatorium for Tuberculous Diseases	125,000 00
State Home for Boys	2,500 00
State Home for Girls	2,000 00
State Hospital, Greystone Park	800,000 00
State Board of Children's Guardians	111,000 00
State Hospital, Marlboro	375,000 00
State Hospital, Trenton	600,000 00
State Prison	500 00
Village for Epileptics	250,000 00
Vineland State School	215,000 00
Miscellaneous Sources	30,000 00
Total revenues	$38,897,860 00

Transfers

Transfers.

Commerce and Navigation, from School Fund	$53,002 34
State Water Policy Commission, from Water Supply Fund	44,140 00
Rehabilitation Commission, from Federal Aid	33,000 00

Vocational Schools:		
Federal aid	33,047 63	
Federal aid, George-Deen Act	32,396 35	
Total transfers		$195,586 32
Total anticipated in the State Fund		$39,293,446 32

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

Annual appropriation.

1. The following sums or so much thereof as may be necessary, be and they are hereby appropriated out of the State fund for the respective public officers and for the several purposes herein specified, for the fiscal year ending on the thirtieth day of June, in the year one thousand nine hundred and thirty-eight, and shall be available for expenditure during said fiscal year, and for a period of three months thereafter to pay obligations incurred during said fiscal year only. At the expiration of said three months' period all unexpended balances, unless specifically held by contracts on file with the Comptroller of the Treasury, shall lapse into the State treasury, or in case of appropriations from special funds shall lapse to the credit of such special funds.

Balances to lapse.

A. EXECUTIVE AND ADMINISTRATIVE

A 1. ATTORNEY-GENERAL'S DEPARTMENT

Attorney-General's Department.

Salaries:		
Attorney-General	$7,000 00	
Assistant Attorney-General	7,500 00	
Assistant Attorney-General	6,000 00	

Assistant Attorney-General	6,000 00	
Assistant Attorney-General	6,000 00	
Assistant Attorney-General	5,000 00	
Second Assistant Attorney-General	9,000 00	
Senior legal assistant.	6,500 00	
Senior legal assistant.	6,500 00	
Legal assistant	5,500 00	
Principal law clerk ..	3,000 00	
Senior law clerk-stenographer	2,400 00	
Compensation for other assistants ...	13,920 00	
Special legal assistants, revision and consolidation of public statutes	7,000 00	
		$91,320 00
Materials and Supplies:		
Stationery and office supplies	$900 00	
Law books	400 00	
Vehicular transportation supplies	2,000 00	
Office equipment	500 00	
		3,800 00
Miscellaneous Expenses:		
Traveling expenses ..	$700 00	
Other miscellaneous expenses	500 00	
Insurance (other than fire)	375 00	
		1,575 00

Division of Securities

Salaries:		
Assistant Attorney-General	$7,500 00	
Special Assistant Attorney-General	4,000 00	
Investigator	1,980 00	
Compensation for clerks and stenographers	5,820 00	
		19,300 00
Materials and Supplies:		
Stationery and office supplies	$500 00	
Office equipment	100 00	
		600 00
Miscellaneous Expenses:		
Expenses of investigations	$8,000 00	
Postage	225 00	
		8,225 00
		$124,820 00

A 2. BUDGET COMMISSION

Budget Commission.

Salaries:		
Budget Commissioner	$7,000 00	
Accountant	5,200 00	
Compensation for assistants	8,220 00	
		$20,420 00
Materials and Supplies:		
Stationery and office supplies	$150 00	
Vehicular transportation supplies	175 00	
		325 00

Miscellaneous:		
Printing	$5,000 00	
Other miscellaneous expenses	700 00	
		5,700 00
		$26,445 00

A 3. Civil Service Commission

Civil Service Commission.

Salaries:		
Commissioners	$18,000 00	
Chief examiner and secretary	10,000 00	
Assistant chief examiner and classification director	6,500 00	
Assistant secretary ..	3,600 00	
Examiners and monitors	36,000 00	
Clerical employees and janitors	88,000 00	
		$162,100 00
Materials and Supplies:		
Stationery and office supplies	$8,500 00	
Office equipment	1,200 00	
Vehicular transportation supplies	1,550 00	
		11,250 00
Miscellaneous:		
Traveling expenses ..	$2,500 00	
Advertising	1,500 00	
Printing	300 00	
Rent	300 00	
Other miscellaneous expenses	500 00	
		5,100 00
		$178,450 00

A 4. COMPTROLLER'S DEPARTMENT

Comptroller's Department.

Salaries:		
Comptroller	$6,000 00	
Chief clerk and deputy comptroller	7,000 00	
Chief auditor	6,000 00	
Chief accountant	6,000 00	
Assistant chief accountant	3,600 00	
Assistants and clerical services	66,340 00	
		$94,940 00
Materials and Supplies:		
Stationery and office supplies		4,600 00
Miscellaneous:		
Premium on surety bonds	$300 00	
Traveling expenses ..	1,400 00	
Other miscellaneous expenses	1,000 00	
Printing and binding.	100 00	
		2,800 00
		$102,340 00

A 5. COMMISSIONER OF FINANCE

Commissioner of Finance.

Salaries:		
Commissioner	$10,000 00	
Deputy commissioner.	5,000 00	
Compensation for assistants	10,400 00	
Services pursuant to chapter 308, Laws of 1935	3,160 00	
		$28,560 00

Materials and Supplies:		
Stationery and office supplies	$1,250 00	
Vehicular transportation supplies	920 00	
		2,170 00
Miscellaneous:		
Other miscellaneous expenses		1,000 00
		$31,730 00

A 6. EMERGENCY FUND

Emergency fund.

For the Governor, to enable him to meet any emergency requiring the expenditure of money not otherwise appropriated, and to cover any incidental personal expense or the expenses of commissioners appointed by him under statute, or in his discretion $10,000 00

A 7. EXECUTIVE DEPARTMENT

Executive Department.

Salaries:		
Governor	$20,000 00	
Secretary to Governor	5,000 00	
Executive clerk	3,600 00	
Assistant secretary to Governor	4,000 00	
Compensation for assistants	17,000 00	
		$49,600 00
Materials and Supplies:		
Stationery and office supplies		2,000 00

Miscellaneous:		
Maintenance, cottage at Sea Girt and entertainment therein	$15,000 00	
Maintenance of Secretary to the Governor during encampment	1,000 00	
Other miscellaneous expenses	1,300 00	
		17,300 00
		$68,900 00

A 8. SECRETARY OF STATE

Secretary of State.

Salaries:		
Secretary	$6,000 00	
Assistant Secretary of State	3,000 00	
Chief clerk	7,000 00	
Head clerk	4,500 00	
Confidential clerk	3,700 00	
Election clerk	4,500 00	
Compensation for assistants	30,240 00	
		$58,940 00
Materials and Supplies:		
Stationery and office supplies	$7,000 00	
Office equipment replacements	1,500 00	
		8,500 00
Miscellaneous:		
Election expenses	$26,500 00	
Printing copies of corporation act	3,000 00	
Photostating copies of certificates of incorporation	5,000 00	
		34,500 00
		$101,940 00

A 9. STATE AUDITOR'S DEPARTMENT

State Auditor's Department.

Salaries:		
Auditor	$7,500 00	
Head auditor	4,500 00	
Principal auditors and examiner	12,400 00	
Auditors and junior auditors (State)	25,860 00	
Auditors and other employees (municipal)	29,100 00	
Junior auditors and audit clerks	14,880 00	
Confidential clerk	1,500 00	
Stenographers, clerks and other employees	12,120 00	
Expenditures for special investigations, chapter 266, Laws of 1918, sec. 3B, and chapter 295, Laws of 1933	8,200 00	
		$116,060 00
Materials and Supplies:		
Stationery and office supplies	$2,500 00	
Office equipment	1,200 00	
		3,700 00
Miscellaneous Expenses:		
Traveling expenses	$25,000 00	
Other miscellaneous expenses	500 00	
Printing and binding	2,000 00	
Tax verification expenses	3,000 00	
Compilation of statistics and printing reports	4,100 00	
		34,600 00
		$154,360 00

A 10. State House Commission

State House Commission.

Salaries and Wages:		
Custodian, State House	$4,500 00	
Chief engineer—electrician	3,400 00	
Superintendent of State House Annex and State office building	4,000 00	
Compensation for assistants and helpers	203,010 00	
		$214,910 00
Materials and Supplies:		
Heat, light, power and electricity	$52,500 00	
Stationery and office supplies, furniture and carpets	5,000 00	
Other materials and supplies	12,000 00	
		69,500 00
Current repairs		20,000 00
Miscellaneous:		
Capitol post office, postage	$117,000 00	
Telephone and telegraph, State Departments in Trenton	75,000 00	
Insurance	1,250 00	
Freight and express	350 00	
Maintenance of Stacy Park and Capitol and annex grounds	4,000 00	
Other miscellaneous expenses	500 00	
		198,100 00

Rentals for State Departments in Newark:	
Industrial Office Building	$96,000 00
Department of Alcoholic Beverage Control	16,819 50
Rentals for State Departments in Trenton:	
Budget Commission	1,625 00
Department of Weights and Measures	2,400 00
Department of Agriculture	15,500 00
Department of State Police	6,600 00
State Employees' Retirement System	2,500 00
Department of Labor.	15,000 00
Rental for building for State exhibits at Trenton Fair	5,000 00
Department of Conservation and Development	780 00
State Tax Department, Beverage Tax Division	6,460 00
State Tax Department, Engineer's Division	4,320 00
Commission to Investigate Crippled Children	1,860 00
State Planning Board	1,200 00
Rentals in Other Cities:	
Associate Justices' offices, Camden, Jersey City, Atlantic City, Somerville and Morristown	6,240 00

Rooms for Courts, Atlantic City, Jersey City, Camden, Elizabeth, Toms River and Newton	44,577 00	
State Board of Children's Guardians, Trenton, Jersey City and Morristown ...	6,320 00	
		233,201 50
		$735,711 50

A 11. TREASURER'S DEPARTMENT

Treasurer's Department.

Salaries:		
Treasurer	$6,000 00	
Cashier and deputy treasurer	6,000 00	
Secretary	3,000 00	
Head clerk	3,000 00	
Compensation for other assistants ...	28,540 00	
		$46,540 00
Materials and Supplies:		
Stationery and office supplies		2,500 00
Miscellaneous:		
Premiums on surety bonds for Treasurer, deputy treasurer and employees	$1,210 00	
Other miscellaneous expenses	400 00	
		1,610 00
		$50,650 00

A 12. STATE PURCHASING DEPARTMENT

Purchasing Department.

Salaries and Wages:		
State Purchasing Commissioner	$7,000 00	
Deputy and chief clerk	5,625 00	
Supervisors of purchases (5)	14,040 00	
Compensation for assistants and clerical services	15,370 00	
		$42,035 00
Materials and Supplies:		
Stationery and office supplies	$2,600 00	
Vehicular transportation supplies	500 00	
Office equipment	1,450 00	
		4,550 00
Miscellaneous:		
Traveling expenses	$500 00	
Advertising, pursuant to chapter 70, Laws of 1930	3,000 00	
		3,500 00
Additions and Improvements:		
Exchange of truck		2,500 00
New Buildings:		
New warehouse at Fernwood		5,481 35

Printing

Miscellaneous:		
Legislative printing	$100,000 00	
Printing and binding public documents	25,000 00	

Printing and circulating laws	7,500 00	
Binding Chancery and law reports	2,500 00	
		135,000 00
		$193,066 35

A 13. State Athletic Commissioner

Athletic Commissioner.

Salaries:		
Commissioner	$5,000 00	
Compensation for other assistants ...	24,700 00	
		$29,700 00
Materials and Supplies:		
Stationery, office supplies and equipment		500 00
Miscellaneous:		
Traveling and incidental expenses .		4,750 00
		$34,950 00

A 14. Municipal Finance Commission

Municipal Finance Commission.

Expenses of operation of municipal finance commission, pursuant to the provisions of chapter 340, Laws of 1931	$27,100 00

A 15. Municipal Funding Commission

Municipal Funding Commission.

Expenses of the commission, comprising the Attorney-General, the State Tax Commissioner and the State Auditor, to investigate and pass upon municipal funding and refunding plans and proposals, in accordance with chapter 77, Laws of 1935	$5,000 00

A 16. Inauguration Expenses

Expenses of Inauguration of the Governor	$2,500 00	Inauguration expenses.

B. Legislative

B 1. Legislature

Salaries:			Legislature.
Senators and members of General Assembly	$40,833 32		
Compensation for officers and employees	35,000 00		
		$75,833 32	
Materials and Supplies:			
Manuals of the Legislature	$5,000 00		
Toilet and other necessary articles to be furnished by the State House Commission	200 00		
		5,200 00	
Miscellaneous:			
Indexing Journal and Minutes and other incidental and contingent expenses		$45,000 00	
		$126,033 32	

C. Judicial

C 1. Clerk in Chancery

Clerk in Chancery.

Salaries:		
Clerk in Chancery ...	$6,000 00	
Chief clerk	5,500 00	
Law clerks (2)	7,100 00	
Compensation for assistants	75,960 00	
		$94,560 00
Materials and Supplies:		
Stationery, office supplies and other materials		10,000 00
Miscellaneous:		
Premium on surety bonds		500 00
		$105,060 00

C 2. Clerk of the Supreme Court

Supreme Court Clerk.

Salaries:		
Clerk of the Supreme Court	$6,000 00	
Chief clerk	5,500 00	
Compensation for assistants	39,320 00	
		$50,820 00
Materials and Supplies:		
Stationery and office supplies	$3,750 00	
Other materials and supplies	400 00	
		4,150 00
Miscellaneous:		
Other miscellaneous expenses		900 00
		$55,870 00

C 3. COURT OF CHANCERY

Court of Chancery.

Salaries:		
Chancellor	$19,000 00	
Vice-Chancellors	180,000 00	
Secretaries to Vice-Chancellors	20,000 00	
Chancellor's secretary	2,000 00	
Compensation and traveling expenses of sergeants-at-arms	36,850 00	
Compensation and allowance of advisory masters and their official stenographers	22,000 00	
Compensation of stenographers, and for services pursuant to section 103, chapter 158, Laws of 1902..	56,000 00	
Compensation of law assistants to Vice-Chancellors	20,000 00	
		$355,850 00
Materials and Supplies:		
Stationery and office supplies	$3,470 00	
Library supplies	1,500 00	
		4,970 00
Miscellaneous Expenses:		
Repairs to equipment		130 00
		$360,950 00

C 4. Court of Errors and Appeals

Court of Errors and Appeals.

Salaries:		
Compensation of judges of the Court of Errors and Appeals, at $40.00 per diem	$54,000 00	
Compensation of officers	3,500 00	
		$57,500 00
Miscellaneous:		
Printed or typewritten copies of draft of opinions under the direction of the presiding judge	$2,000 00	
Binding State cases, briefs, et cetera, and printing list of causes, et cetera ...	2,000 00	
		4,000 00
		$61,500 00

C 5. Court of Pardons

Court of Pardons.

Salaries:		
Compensation of judges of the Court of Pardons, at $20.00 per diem ...	$2,500 00	
Compensation of clerk and stenographer	1,350 00	
		$3,850 00
Materials and Supplies:		
Stationery and office supplies		300 00

Miscellaneous:	
Other miscellaneous expenses	75 00
	$4,225 00

C 6. Judicial Council

Judicial Council.

Salaries:	
Secretary	$1,800 00
Materials and Supplies:	
Stationery and office supplies	200 00
Miscellaneous:	
Expenses of investigations, printing, and other incidental expenses	2,000 00
	$4,000 00

C 7. Law and Equity Reports

Law and Equity Reports.

Salaries:		
Chancery reporter ...	$500 00	
Supreme Court reporter	500 00	
		$1,000 00
Miscellaneous Expenses:		
Publication of Chancery reports	$18,000 00	
Publication of law reports	9,000 00	
		27,000 00
		$28,000 00

C 8. STENOGRAPHIC REPORTERS

Court reporters.

For amount to be refunded to various counties in this State for salaries of stenographic reporters appointed by the justices of the Supreme Court, pursuant to chapter 81, of the Laws of 1901		$56,416 60

C 9. SUPREME COURT

Supreme Court.

Salaries:		
Chief Justice	$19,000 00	
Associate justices ...	144,000 00	
Circuit court judges .	224,000 00	
Salaries of secretaries to justices of the Supreme Court, pursuant to chapter 249, Laws of 1928	18,000 00	
Compensation for assistants	2,000 00	
Board of Bar Examiners, salary of members, secretary, assistant secretary and messenger	17,150 00	
		$424,150 00
Materials and Supplies:		
Stationery and office supplies		400 00
Miscellaneous:		
Expenses of Board of Bar Examiners incurred by court order, including disbarment proceedings.		3,000 00
		$427,550 00

C 10. COMMISSION OF REVISION AND CONSOLIDATION OF PUBLIC STATUTES

Compensation for employees, stationery and office supplies and rent	$49,212 23	Revision and Consolidation of Laws.

D. REGULATIVE

D 1. BOARD OF COMMERCE AND NAVIGATION

Salaries:			Commerce and Navigation.
Director	$9,000 00		
Assistant chief engineer	2,000 00		
Consulting engineer .	1,800 00		
Assistant secretary ..	3,480 00		
Office engineer	3,900 00		
Hydrographic engineer	3,900 00		
Senior hydrographic engineer	3,300 00		
Other assistants, public hearings, searches, surveys, witnesses on trespasses, et cetera ...	24,340 00		
		$51,720 00	
Materials and Supplies:			
Stationery and office supplies	$1,800 00		
Office equipment	800 00		
		2,600 00	

Miscellaneous:		
Traveling expenses ..	$3,250 00	
Telephone and telegraph	550 00	
Rent	8,200 00	
Insurance on boats ..	635 00	
Expenses in connection with riparian surveys and study and plans for beach protection measures	1,000 00	
Operation cars and boats	2,000 00	
Other miscellaneous expenses	1,200 00	
Insurance on autos ..	467 84	
Postage	400 00	
		17,702 84
Additions and Improvements:		
Exchange of autos		583 00
Extraordinary Expenditures:		
Litigation of lighterage case		25,000 00
Appropriation for administration expenses receivable from School Fund pursuant to chapter 223, Laws of 1922, estimated as 40 per centum of the total appropriations.		
		$97,605 84

D 2. Board of Fish and Game Commissioners

Fish and Game Commissioners.

For salaries and wages, and for the expenses of maintenance and operation of the New Jersey Board of Fish and Game Commissioners to include the expenses of administration and of the fish hatchery and game farms.

All receipts from hunters' and anglers' licenses pursuant to the provisions of chapter 152 of the Laws of 1914; chapter 120, Laws of 1915, chapter 125 of the Laws of 1922, and amendments.

All receipts, licenses and sales pursuant to the provisions of chapter 153 of the Laws of 1918.

All fines pursuant to the provisions of chapter 247 of the Laws of 1911.

All such receipts as are above set forth, and any balance of receipts that may not have been disbursed on or before the end of the fiscal year ending June thirtieth, one thousand nine hundred and thirty-seven, are hereby appropriated to the Board of Fish and Game Commissioners, but there may only be expended of said receipts and balance the amounts as itemized below, and for bills incurred during the fiscal year ending June thirtieth, one thousand nine hundred and thirty-seven, and no portion of any receipts shall lapse into the general funds of the State; *provided, however,* that an excess may be expended and is hereby appropriated above the amounts herein below indicated when expressly approved by the State House Commission, but limited to the amount of the receipts of the board for the fiscal year.

Proviso.

Salaries and Wages:		
Executive secretary ..	$5,000 00	
Assistant secretary ..	2,880 00	
Assistant protectors, wardens, superintendents and other officers and employees	143,960 00	
		$151,840 00
Materials and Supplies:		
Food	$58,000 00	
Heat, light, power, water, gas and electricity	5,685 00	
Stationery and office supplies	1,500 00	
Vehicular transportation supplies	26,250 00	
Purchase of live fish and game	26,900 00	
Farm and stable supplies	5,400 00	
Other materials and supplies	1,550 00	
Replacement of office equipment	300 00	
		125,585 00
Current repairs		3,600 00
Miscellaneous:		
Printing	$4,075 00	
Hunting and fishing licenses and buttons .	6,500 00	
Traveling expenses ..	4,000 00	
Telephone and telegraph	2,200 00	
Garage rent	1,780 00	
Postage	1,650 00	
Insurance	4,000 00	
Freight and express..	250 00	

Other miscellaneous expenses	6,300 00	
Refunds	1,000 00	
		31,755 00
Additions and Improvements:		
Motor vehicles and equipment	$9,900 00	
Office equipment	200 00	
Building coops and pens	3,000 00	
Additions to plant and equipment	2,000 00	
		15,100 00
		$327,880 00

D 3. Board of Public Utility Commissioners

Board of Public Utility Commissioners.

Salaries:		
Members of the board	$36,000 00	
Counsel (2)	14,500 00	
Assistant counsel	3,500 00	
Secretary	7,000 00	
Chief engineer, Bureau of Utilities	8,000 00	
Chief engineer, bridges and grade crossings	7,500 00	
Chief engineer, Bureau of Railroads	6,500 00	
Deputy chief engineer, Division of Rates and Research	6,000 00	
Engineers, inspectors, clerks, stenographers and other employees	157,387 00	
Reporting hearings ..	9,000 00	
		$255,387 00

Materials and Supplies:		
Stationery and office supplies	$3,000 00	
Office equipment	500 00	
		3,500 00
Miscellaneous:		
Traveling expenses ..	$9,000 00	
Other miscellaneous expenses	500 00	
Printing	2,500 00	
Printing Volume XVI containing decisions	1,500 00	
		13,500 00
		$272,387 00

D 4. Board of Shell Fisheries

Board of Shell Fisheries.

Salaries:		
Director	$4,000 00	
Chiefs of bureaus ...	4,400 00	
Two new shell fisheries protectors	2,400 00	
Captains of boats, crews, guards, clerks, et cetera	34,460 00	
Special guard service	1,000 00	
		$46,260 00
Materials and Supplies:		
Fuel and power	$3,500 00	
Stationery and office supplies	150 00	
License plates	500 00	
		4,150 00
Current repairs		3,000 00

Miscellaneous:		
Traveling expenses ..	$2,500 00	
Insurance	675 00	
Surveying and mapping	2,500 00	
Rent of offices	120 00	
Rent of boat	900 00	
Telephone and telegraph	150 00	
Other miscellaneous expenses	1,000 00	
		7,845 00
Additions and Improvements:		
Purchase of oyster shells, in order to restore depleted natural oyster beds, and further for the purpose of shelling beds	$10,000 00	
Services of one small guard boat for Delaware bay	2,500 00	
Dynamiting and netting drum-fish in waters of Ocean and Atlantic counties ..	4,000 00	
		16,500 00
		$77,755 00

D 5. County Boards of Taxation

For salaries of members of the county boards of taxation	$131,400 00	County Tax Boards.

New Jersey State Library

D 6. Department of Banking and Insurance

Banking and Insurance.

Salaries:	
Commissioner	$6,000 00
Deputy Commissioner, Bureau of Banking	7,500 00
Assistant Deputy Commissioner, Bureau of Banking	4,200 00
Deputy Commissioner, Bureau of Insurance	7,500 00
Deputy Commissioner, Bureau of Building and Loan Associations	7,500 00
Chief, Compensation Rating and Inspection Bureau	5,000 00
Assistant Deputy, Bureau of Insurance	4,800 00
Assistant Deputy, Bureau of Building and Loan Associations .	4,140 00
Investigator	3,480 00
Statistician	3,000 00
Bank examiners	128,160 00
Small Loan, et cetera, Examiners	6,900 00
Chief Insurance Examiner	7,500 00
Assistant Chief Insurance Examiners ...	28,800 00
Insurance Examiners.	48,660 00
Special Insurance Examiners	10,000 00
Building and Loan Association Examiners	208,260 00
Actuary	7,500 00
Chief Assistant Actuary	4,500 00

Assistant Actuary ...	4,000 00	
Chief, License Division	3,900 00	
Principal Clerk-Bookkeeper and Cashier.	3,300 00	
Chief, Division Personal Loan Agencies	4,200 00	
Auditor, Bureau of Insurance	2,520 00	
Clerks, stenographers and other employees	99,600 00	
		$620,920 00
Materials and Supplies:		
Stationery and office supplies and equipment		4,500 00
Miscellaneous:		
Traveling expenses ..	$70,000 00	
Freight, express and cartage	400 00	
Subscriptions	400 00	
Compiling and printing valuations	450 00	
Rents (includes offices, new statistical machines, safe deposit boxes, et cetera) ...	7,225 00	
Printing	9,500 00	
Other miscellaneous expenses	800 00	
Membership fee, National Association of State Banks and convention expenses	125 00	
Insurance	250 10	
		89,150 10
		$714,570 10

D 7. Department of Conservation and Development

Administration

Conservation and Development.

Salaries:		
State Geologist and Director	$7,500 00	
Administrative assistant	3,000 00	
Other employees	9,360 00	
		$19,860 00
Materials and supplies		1,400 00
Current repairs and replacements		50 00
Miscellaneous		300 00
Additions and improvements		50 00

Geologic and Topographic Surveys

Surveys.

Salaries:		
Assistant geologist	$4,200 00	
Topographic engineer	3,600 00	
		7,800 00
Materials and supplies		100 00
Miscellaneous expenses		4,000 00
Additions and improvements		100 00

State Museum

Museum.

Salaries:		
Curator	$3,600 00	
Other employees	23,100 00	
		26,700 00
Materials and supplies		6,500 00
Current repairs and replacements		960 00
Miscellaneous expenses		1,500 00
Additions and improvements		1,500 00

Forestry Supervision, Investigation and Co-operation

Forestry.

Salaries:		
State Forester	$5,800 00	
Land agent	4,500 00	
Other employees	14,400 00	
Architectural and other consultants	250 00	
		24,950 00
Materials and supplies		500 00
Current repairs and replacements ...		250 00
Miscellaneous expenses		6,000 00
Additions and improvements		180 00

State Forests

State forests.

Salaries:		
Senior assistant forester	$2,880 00	
Other employees	30,685 00	
Labor (per diem) ...	5,000 00	
		38,565 00
Materials and supplies		3,500 00
Current repairs and replacements ...		6,000 00
Miscellaneous expenses, tax lieu on State forests, et cetera		10,000 00
Additions and improvements		4,000 00

State Forest Nurseries and Reforestation

Forest nurseries.

Salaries:		
Senior assistant forester	$3,000 00	
Other employees	9,330 00	
Labor (per diem) ...	4,000 00	
		16,330 00
Materials and supplies		3,000 00
Current repairs and replacements ...		1,000 00
Miscellaneous expenses		1,500 00
Additions and improvements		1,000 00

State Parks

Parks.

Salaries:		
Supervisors, guards and other employees		29,830 00
Materials and supplies		4,500 00
Current repairs and replacements		7,500 00
Miscellaneous expenses		1,500 00
Additions and improvements		1,000 00
Acquisition, development and maintenance of Cheesequake State Park, pursuant to chapter 257, Laws of 1932		100,000 00

Preventing and Extinguishing Forest Fires

Forest fires.

Salaries:		
State fire warden	$4,200 00	
Other employees	87,287 50	
Labor (per diem) on fire lines	5,000 00	
		96,487 50
Materials and supplies		2,500 00
Current repairs and replacements		2,500 00
Miscellaneous expenses		13,000 00
Additions and improvements		500 00
Extraordinary Expenses:		
Fire fighting costs		15,000 00

Delaware and Raritan Canal

Delaware and Raritan Canal.

Unclassified:	
Maintenance and operation of the Delaware and Raritan Canal	30,000 00
	$491,912 50

D 8. DEPARTMENT OF HEALTH

Department of Health.

Salaries:		
Director	$6,500 00	
Chief, Bureau of Administration	5,400 00	
Registrar, Bureau of Vital Statistics	4,800 00	
Chief, Bureau of Local Health Administration	4,500 00	
Chief, Bureau of Food and Drugs	4,800 00	
Chief, Bureau of Public Health Education	4,000 00	
Chief, Bureau of Sanitary Engineering ..	5,500 00	
Chief, Bureau of Chemistry	4,800 00	
Chief, Bureau of Bacteriology	4,800 00	
Senior Sanitary Engineer, Bureau of Engineering	3,600 00	
Veterinarian	3,900 00	
District Health Officers (5)	17,680 00	
Assistant Epidemiologists, Local Health Administration (2).	7,800 00	
Engineers, inspectors, investigators, laboratory and other employees	143,370 00	
Dairy and milk plant inspectors	7,920 00	
		$229,370 00

Materials and Supplies:		
Stationery and office supplies	$2,400 00	
Engineering supplies.	1,200 00	
Vehicular transportation supplies	3,000 00	
Laboratory supplies .	17,000 00	
Laboratory receipts .	1,500 00	
Other materials and supplies	300 00	
		25,400 00
Miscellaneous:		
Printing	$6,000 00	
Traveling expenses ..	18,000 00	
Other miscellaneous expenses	1,000 00	
Rental of tabulation machines	1,296 00	
Binding volumes of birth, marriage and death certificates ..	1,000 00	
Court expenses	850 00	
Rent of garages	784 00	
Auto insurance	585 00	
		29,515 00
Additions and Improvements:		
Laboratory equipment	$1,400 00	
Replacing two automobiles	1,500 00	
Binding old birth, marriage and death certificates	1,500 00	
		4,400 00
Unclassified:		
Investigation of pollution of Raritan river		5,000 00

Maternal and Child Health Bureau

Salaries	$77,355 60	
Materials and supplies..	1,860 00	
Other miscellaneous expenses	21,200 00	
		100,415 60

Bureau of Venereal Disease Control

Salaries	$16,440 00	
Materials and supplies.	6,350 00	
Miscellaneous expenses.	2,750 00	
		25,540 00

Milk Plant License Bureau

Salaries	$7,560 00	
Materials, supplies and miscellaneous expenses	3,550 00	
		11,110 00

Barber License Bureau

Salaries	$11,160 00	
Materials, supplies and miscellaneous expenses	4,115 00	
		15,275 00

Shell Fish Bureau

Salaries	$13,920 00	
Materials and supplies..	950 00	
Miscellaneous expenses.	5,000 00	
		19,870 00

Ice Cream License Bureau

Salaries	$1,800 00	
Materials and supplies..	400 00	
Miscellaneous expenses.	400 00	
		2,600 00

Toxoid Distribution Bureau

Salaries	$1,200 00	
Materials and supplies..	15,350 00	
Miscellaneous expenses.	200 00	
		16,750 00
		$485,245 60

D 9. DEPARTMENT OF LABOR

Department of Labor.

Salaries:		
Commissioner of Labor	$6,000 00	
Deputy Commissioners Workmen's Compensation (4) .	28,000 00	
Deputy Commissioners of Labor (2) ..	13,400 00	
Referee	3,600 00	
Supervisor, informal hearings	5,000 00	
Chief, Bureau of Industrial Statistics .	4,200 00	
Examiners, inspectors, clerks and other employees	215,062 00	
Bureau for Women and Children	3,365 00	
Wage Collection Division	6,720 00	
		$285,347 00

Materials and Supplies:		
Stationery and office supplies	$5,500 00	
Office equipment	900 00	
Coal, Jersey City, Trenton and Paterson	2,000 00	
Vehicular transportation supplies	500 00	
Lighting, power and water service	1,750 00	
		10,650 00
Current repairs		100 00
Miscellaneous:		
Traveling expenses	$17,500 00	
Telephone and telegraph	3,000 00	
Rent, Jersey City, Paterson or other cities	9,500 00	
Other miscellaneous expenses	2,800 00	
Printing	2,800 00	
Expenses for Industrial Museum of Safety Campaign	800 00	
Prosecution of labor law violations	500 00	
Minimum Wage Division	12,500 00	
		49,400 00
		$345,497 00

D 10. Department of Weights and Measures

Weights and Measures.

Salaries:		
Superintendent	$5,000 00	
Compensation for assistants	16,440 00	
Eight inspectors and one clerk, Coal Statute Enforcement ..	15,060 00	
		$36,500 00
Materials and Supplies:		
Metal seals	$700 00	
Stationery and office supplies	550 00	
Vehicular transportation supplies	1,500 00	
Other materials and supplies	100 00	
Equipment and supplies, Coal Statute Enforcement	1,000 00	
		3,850 00
Current repairs		100 00
Miscellaneous:		
Traveling expenses, including samples purchased	$3,500 00	
Traveling expenses, Coal Statute Enforcement	5,000 00	
Insurance premiums .	400 00	
Other miscellaneous expenses, including garage rent	400 00	
Printing and binding.	250 00	
		9,550 00
		$50,000 00

D 11. HEALTH OFFICERS, PORT OF PERTH AMBOY

Health Officer, Perth Amboy.

Health officer of the Port of Perth Amboy, for salary, pursuant to chapter 328, Laws of 1906	$1,000 00
Deputy health officer	250 00
	$1,250 00

D 12. STATE BOARD OF TAX APPEALS

Board of Tax Appeals.

Salaries:		
President	$6,500 00	
Members of board	27,000 00	
Secretary	6,000 00	
Compensation for other assistants	36,000 00	
		$75,500 00
Materials and Supplies:		
Stationery and office supplies	$2,950 00	
Vehicular transportation supplies	250 00	
Office equipment	1,000 00	
		4,200 00
Miscellaneous:		
Traveling expenses	$4,000 00	
Other miscellaneous expenses	300 00	
Printing "Report of Cases"	400 00	
Printing Compilation of Tax Laws	5,000 00	
		9,700 00
		$89,400 00

D 13. STATE BOARD OF TENEMENT HOUSE SUPERVISION

Tenement House Supervision

Salaries:		
Secretary and executive officer	$7,000 00	
Compensation for assistants and other employees	85,280 00	
		$92,280 00
Materials and Supplies:		
Stationery and office supplies	$425 00	
Other materials and supplies	350 00	
Vehicular transportation supplies	1,200 00	
Office equipment	200 00	
		2,175 00
Miscellaneous:		
Traveling expenses	$5,000 00	
Other miscellaneous expenses	550 00	
Postage	1,000 00	
Telephone and telegraph	450 00	
Garage rent	160 00	
Printing	200 00	
		7,360 00
Additions and Improvements:		
Automobile exchange		1,100 00
		$102,915 00

D 14. Real Estate Commission

Real Estate Commission.

Salaries and Wages:		
Commissioners (5) ..	$17,000 00	
Secretary	5,000 00	
Chief examiner and investigator	4,500 00	
Other employees	21,060 00	
		$47,560 00
Materials and Supplies:		
Stationery and office supplies		500 00
Miscellaneous:		
Traveling expenses ..	$4,000 00	
Postage	1,600 00	
Telephone and telegraph	500 00	
Printing	1,000 00	
Other miscellaneous expenses	570 00	
Insurance and bond premiums	213 00	
		7,883 00
		$55,943 00

D 15. Department of State Police

State Police.

Salaries:		
Colonel and superintendent	$9,000 00	
Major and deputy superintendent	5,000 00	
Captains (4)	14,400 00	
Lieutenants (5)	15,000 00	
Noncommissioned officers, troopers, et cetera	486,250 00	
Medical and surgical services	7,000 00	
		$536,650 00

Materials and Supplies:		
Food	$22,500 00	
Clothing	15,000 00	
Heat, light, power, water and electricity	8,000 00	
Vehicular transportation, supplies, including replacements	82,000 00	
Household and organization supplies	7,000 00	
Medical, surgical and laboratory supplies	1,800 00	
Stationery and office supplies	4,000 00	
		140,300 00
Current repairs		4,000 00
Miscellaneous:		
Traveling expenses	$3,500 00	
Rents	5,500 00	
Telephone and telegraph	12,000 00	
Insurance	9,000 00	
Freight, express and cartage	100 00	
Emergency fund, all bills to be approved by the State House Commission	1,000 00	
Food and lodging	115,000 00	
		146,100 00
Additions and Improvements:		
Office equipment		1,000 00

Teletype Communication

Salaries:		
Supervisors (2)	$6,000 00	
Assistant supervisors	23,338 00	
Operators (6)	7,200 00	
		36,538 00

Materials and Supplies:		
Stationery and office supplies		1,200 00
Miscellaneous:		
Rental of teletype instruments and power		47,200 00

Bureau of Identification

Salaries:		
Supervisor	$3,600 00	
Other officers and employees	35,260 00	
		38,860 00
Materials and Supplies:		
Stationery and office supplies	$2,400 00	
Photographic, blueprinting and drafting supplies	3,000 00	
		5,400 00
Additions and Improvements:		
Office equipment and scientific and additional filing equipment		4,500 00
		$961,748 00

D 16. State Water Policy Commission

Water Policy Commission.

Salaries:		
Division engineer	$5,700 00	
Assistant division engineer	4,500 00	
Assistant engineers (2)	6,600 00	
District engineer (½ salary)	2,500 00	
Associate engineer (½ salary)	1,750 00	
Other employees	11,470 00	
		$32,520 00
Materials and Supplies:		
Stationery and office supplies	$400 00	
Engineering supplies.	400 00	
Vehicular transportation supplies	800 00	
Replacement of automobile	675 00	
		2,275 00
Miscellaneous Expenses:		
Traveling expenses ..	$2,300 00	
Telephone and telegraph	300 00	
Postage	400 00	
Printing	750 00	
Rent	3,522 00	
Other miscellaneous expenses	423 00	
		7,695 00

Additions and Improvements:		
New gauging station, construction and maintenance	$1,000 00	
Office equipment	250 00	
Engineering equipment	400 00	
		1,650 00
		$44,140 00

D 17. State Tax Department

State Tax Department.

Salaries:		
State Tax Commissioner	$7,500 00	
Assistant commissioner	7,500 00	
Assistant confidential clerk	6,000 00	
Chief engineer, Railroad Tax Division.	11,000 00	
Field secretary, Local Tax Division	4,300 00	
State Supervisor, Inheritance Tax Division	9,000 00	
Chief clerk, Corporation Division	4,980 00	
Chief, Public Utility Division	3,300 00	
Director, Beverage Tax Division	5,000 00	
Principal corporation tax clerk	3,300 00	
Field engineer, Railroad Division	4,980 00	
Office engineer, Railroad Division	4,980 00	

Two district supervisors, Inheritance Tax Division	8,800 00	
Two head inheritance tax clerks	9,000 00	
Other officers and employees	394,900 00	
		$484,540 00
Materials and Supplies:		
Stationery and office supplies	$15,500 00	
Other materials and supplies	450 00	
Office equipment replacement	4,750 00	
Briefs and law books	2,000 00	
Vehicular transportation supplies	600 00	
		23,300 00
Miscellaneous Expenses:		
Printing and binding.	$1,400 00	
Telephone and telegraph	2,000 00	
Traveling expenses	23,400 00	
Surety bonds	550 00	
Postage	2,000 00	
Machine rental	6,500 00	
Other miscellaneous expenses	1,950 00	
		37,800 00
Extraordinary Expenditures:		
Court costs and litigation		1,200 00
Unclassified:		
Upon approval of the State Tax Commissioner, the Comptroller of the Treasury is hereby authorized and it shall be his duty to		

withdraw from the State fund such amounts as shall be required to carry out the provisions of chapter 238, Laws of 1909, payment of 5% of tax collected to counties, and to refund and pay such claims as may be necessary and the State Treasurer shall pay same upon the warrants of said Comptroller, and there is hereby appropriated the amount necessary therefor, approximating ..		600,000 00
The appropriation included in this account for the Public Utility Division amounts to $16,060.00.		
		$1,146,840 00

D 18. Department of Aviation

Expenses incurred by the Department of Aviation, established pursuant to chapter 190, Laws of 1931. Department of Aviation.

Salaries:		
Director of Aviation .	$5,000 00	
Compensation of other employees, present, $3,480.00; new, $2,760.00	6,240 00	
		$11,240 00
Materials and Supplies:		
Stationery and office supplies and equipment		900 00

Miscellaneous Expenses:		
Traveling expenses ..	$3,500 00	
Telephone and telegraph	200 00	
Advertising	100 00	
Subscriptions	80 00	
		3,880 00
Additions and Improvements:		
All-wave radio		200 00
		$16,220 00

D 19. Department of Alcoholic Beverage Control

Department of Alcoholic Beverage Control.

Salaries:		
Commissioner	$16,500 00	
Deputy commissioners (3)	18,000 00	
Attorney in chief	5,000 00	
Council in chief	6,000 00	
Chief inspector	3,500 00	
Senior inspectors (7)	22,500 00	
Inspectors (8)	19,800 00	
Investigators	171,000 00	
Confidential secretary	3,000 00	
Secretary to commissioner	1,800 00	
Principal clerk-secretary	1,800 00	
Senior clerk-stenographers	12,420 00	
Compensation for other assistants and clerical services ...	41,640 00	
Compensation Award, Mrs. Allen O. Myers	1,040 00	
Compensation Award, Mrs. Wm. C. Carr .	1,040 00	
		$325,040 00

Materials and Supplies:		
Stationery and office supplies	$10,000 00	
Other materials and supplies	1,500 00	
		11,500 00
Miscellaneous Expenses:		
Postage and expressage	$9,000 00	
Printing	8,000 00	
Telephone and telegraph	5,200 00	
Insurance (other than fire)	1,000 00	
Traveling expenses	66,000 00	
Other miscellaneous expenses	6,000 00	
Seizure expenses	28,000 00	
		123,200 00
Additions and Improvements:		
Office, ordinance and seizure equipment		5,000 00
		$464,740 00

D 20. UNEMPLOYMENT COMPENSATION COMMISSION

(State Employment Service)

Unemployment Compensation Commission.

Transfer of State funds to match Federal funds for State Employment Service Division of Unemployment Compensation Commission, pursuant to chapter 270, Laws of 1936	$130,000 00

D 21. STATE BOARD OF BEAUTY CULTURE CONTROL

Board of Beauty Culture Control.

Salaries:		
Commissioners	$10,000 00	
Secretary	1,500 00	
Inspectors and other employees	8,520 00	
		$20,020 00
Materials and Supplies:		
Vehicular transportation supplies	$980 00	
Stationery and office supplies	820 00	
		1,800 00
Miscellaneous Expenses:		
Traveling expenses ..	$3,000 00	
Telephone and telegraph	350 00	
Rents	1,920 00	
Insurance (other than fire)	250 00	
Postage	1,600 00	
Miscellaneous expenses	1,060 00	
		8,180 00
		$30,000 00

D 22. COMMISSION ON INTERSTATE CO-OPERATION

Commission on Interstate Co-operation.

Expenses incurred by the commission appointed pursuant to Joint Resolution No. 3, approved March 12, 1935	$14,000 00

D 23. INTERSTATE SANITATION COMMISSION

Expenses incurred by the commission appointed pursuant to chapter 321, Laws of 1935		$15,000 00

Interstate Sanitation Commission.

E. EDUCATIONAL

E 1. STATE BOARD OF REGENTS (STATE AGRICULTURAL COLLEGE)

Rutgers University (State Agricultural College)		$740,000 00
Purchase of scholarships at Rutgers University, including the New Jersey College for Women		50,000 00
College for Women		360,000 00
Newark Technical School and Newark College of Engineering		57,426 00

State Board of Regents.

Administrative

Board of Regents:		
Salaries	$10,720 00	
Materials and supplies	225 00	
Miscellaneous expenses	2,500 00	
Additions and improvements	50 00	
		13,495 00
Payments under this account to be made pursuant to Chapter 2, Laws of 1920, excepting the sum of $300,000.00, which said sum shall be payable from the State Fund.		
		$1,220,921 00

E 2. Commissioner of Education

Commissioner of Education.

Salaries:		
Commissioner	$15,000 00	
Five assistant commissioners	35,000 00	
Chief, bureau of examiners	6,000 00	
Physical training superintendent	6,500 00	
Physical training assistant superintendent	3,340 00	
Physical training instructor	3,400 00	
Inspector of buildings	3,900 00	
Superintendent of industrial education .	4,050 00	
Inspectors of accounts (2)	5,980 00	
Inspector of school accounts	3,800 00	
Assistant for high school work	5,000 00	
Clerical services	37,860 00	
		$129,830 00
Materials and Supplies:		
Stationery and office supplies	$12,000 00	
Office equipment	700 00	
Vehicular transportation supplies	1,200 00	
		13,900 00
Miscellaneous:		
Traveling expenses ..	$5,500 00	
Expenses, physical training work	2,000 00	
Postage	4,000 00	

Telephone and telegraph	2,000 00	
Other miscellaneous expenses	750 00	
Rent of office space ..	16,563 00	
Printing special bulletins	3,250 00	
		34,063 00
Additions and Improvements:		
Automobile exchange		1,000 00

The moneys in this item appropriated shall be deducted in the same manner as the moneys heretofore appropriated to the Superintendent of Public Instruction are required to be deducted pursuant to chapter 65, Laws of 1909.

$178,793 00

Academic Certificate Fund

Salaries	$3,480 00	
Materials and supplies..	1,700 00	
Miscellaneous expenses .	2,500 00	
		$7,680 00

E 3. County Superintendents

County superintendents of schools.

For county superintendents, for salaries, payments to be made pursuant to chapter 65, Laws of 1909 .... $105,000 00

E 4. Evening Schools for Foreign-Born Residents

Evening schools.

For the purpose of carrying out the provisions of an act entitled "An act providing for the establishment of evening schools for foreign-born residents in the State of New Jersey," approved April eleventh, one thousand nine hundred and seven, payment to be made pursuant to chapter 65, Laws of 1909	$13,555 00

E 5. Industrial Education

Industrial education.

For payments to schools established for industrial education, pursuant to chapter 78, Laws of 1909; chapter 32, Laws of 1921, and chapter 282, Laws of 1926	$69,000 00
Payments to schools for manual training, pursuant to Article 22, section 230, School Laws of 1903	686,000 00
Expenses incurred by Commissioner of Education in carrying into effect the provisions of chapter 152, Laws of 1919, salary	5,000 00
Traveling expenses	500 00
Payments under this account to be made pursuant to chapter 2, Laws of 1920.	
	$760,500 00

E 6. Manual Training and Industrial School for Colored Youth

Bordentown Industrial School.

For salaries and wages, and for maintenance of the Manual Training and Industrial School for Colored Youth, on the basis of four hundred and forty-eight students.	

Salaries and Wages:		
Principal	$6,000 00	
Preceptress	2,000 00	
Teachers	63,700 00	
Other officers and employees	30,720 00	
Student labor	6,000 00	
		$108,420 00
Materials and Supplies:		
Food	$26,000 00	
Heat, light, power, water and electricity	25,000 00	
Household supplies	5,500 00	
Farm, stable and grounds supplies	11,200 00	
Industrial and vocational supplies	3,500 00	
Educational supplies	4,000 00	
Medical and surgical supplies	800 00	
Stationery and office supplies	200 00	
Vehicular transportation supplies	800 00	
Other materials and supplies	300 00	
		77,300 00
Current repairs		10,200 00
Miscellaneous:		
Traveling expenses, including extension work	$900 00	
Postage	750 00	
Telephone and telegraph	1,250 00	
Entertainment expenses	500 00	
Freight and express	75 00	
Printing	350 00	
Religious services	200 00	
		4,025 00

Additions and Improvements:		
Materials for permanent improvements.	$1,500 00	
Extraordinary household supplies	1,000 00	
Remodeling heating system of Dormitory A	2,000 00	
Equipping disposal plants (2) Wallace-Tierman chlorinators	1,145 00	
Material for bleacher seats—gym, athletic field	500 00	
Scullery sinks—two compartments	150 00	
Woven chain link fence	700 00	
One power lawn mower	425 00	
Automatic air drive presses (2) with compressor for laundry	1,250 00	
School bus (complying with State Safety Specifications)	2,600 00	
Purchase of two properties—adjoining school campus	12,000 00	
Purchase of live stock	1,300 00	
		24,570 00
Payments under this account to be made pursuant to chapter 65, Laws of 1909.		
		$224,515 00

E 7. SCHOOL FOR THE DEAF

School for the Deaf.

For salaries and wages and for maintenance of the New Jersey School for the Deaf, on a basis of four hundred and twenty-five pupils.		
Salaries and Wages:		
Superintendent	$5,000 00	
Principal, teachers and instructors	129,980 00	
Other officers and employees	62,270 00	
Medical and surgical fees	900 00	
		$198,150 00
Materials and Supplies:		
Food	$37,000 00	
Clothing	1,500 00	
Heat, light, power, water and electricity	24,500 00	
Household supplies ..	7,000 00	
Farm, stable and grounds	1,200 00	
Industrial and vocational supplies	4,000 00	
Medical and surgical supplies	700 00	
Educational, recreational and library supplies	4,500 00	
Stationery and office supplies	500 00	
Vehicular transportation supplies	1,400 00	
Other materials and supplies	400 00	
		82,700 00
Current repairs		5,000 00

Miscellaneous:		
Entertainment expenses	$750 00	
Freight, express and cartage	100 00	
Religious instruction	500 00	
Traveling expenses	1,750 00	
Postage	350 00	
Telephone and telegraph	1,200 00	
		4,650 00
Additions and Improvements:		
Labor, materials and supplies	$3,500 00	
Earphones and equipment	1,500 00	
Extraordinary household supplies	500 00	
Playground and athletic equipment	275 00	
Farm machinery	375 00	
Printing press	2,100 00	
Extraordinary repairs	5,800 00	
Ultra violet light	400 00	
Extraordinary educational equipment (desks)	1,800 00	
Dump truck exchange	1,100 00	
Lathe	500 00	
		17,850 00
Payments under this account to be made pursuant to chapter 65, Laws of 1909.		
		$308,350 00

E 8. STATE BOARD OF EDUCATION

Expenses incurred by the Board of Education		$1,600 00	State Board of Education.
Fire and other insurance premiums on buildings under control of State Board of Education		24,200 00	
Payments under this account to be made pursuant to chapter 2, Laws of 1920.			
		$25,800 00	

E 9. STATE BOARD OF EXAMINERS

Salaries:			State Board of Examiners.
Head clerk	$2,100 00		
Clerical services	2,280 00		
		$4,380 00	
Materials and Supplies:			
Stationery and office supplies		800 00	
Miscellaneous:			
Traveling expenses	$350 00		
Other miscellaneous expenses	75 00		
		425 00	
Payments under this account to be made pursuant to chapter 2, Laws of 1920.			
		$5,605 00	

E 10. STATE NORMAL SCHOOL, GLASSBORO

For salaries and wages and for the maintenance of the State Normal School, Glassboro, on the basis of three hundred and twenty-five students.	Glassboro Normal School.

Salaries and Wages:		
Principal	$7,500 00	
Teachers	82,759 00	
Other employees	16,360 00	
		$106,619 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$9,000 00	
Farm, stable and grounds supplies ..	950 00	
Vehicular transportation supplies	460 00	
Educational, recreational and library supplies	6,000 00	
Stationery and office supplies	500 00	
Household supplies ..	530 00	
Medical, surgical and laboratory supplies.	445 00	
Office equipment replacement	100 00	
		17,985 00
Current repairs		1,200 00
Miscellaneous:		
Traveling expenses ..	$450 00	
Postage	600 00	
Telephone and telegraph	450 00	
Other miscellaneous expenses	250 00	
Printing	650 00	
Excess sewer rental ..	125 00	
Freight, express and cartage	60 00	
Traveling expenses, supervisors of student teaching	1,000 00	
		3,585 00

Unclassified:		
All receipts from extension courses are hereby appropriated for use of the said courses, estimated ..		8,700 00
Additions and Improvements:		
Spraying trees		600 00
The moneys in this item appropriated to be deducted in the same manner as the moneys appropriated to normal schools are required to be deducted, pursuant to chapter 65, Laws of 1909.		
		$138,689 00

E 11. State Normal School, Jersey City

Jersey City Normal School.

For salaries and wages and for the maintenance of the State Normal School, Jersey City, on the basis of four hundred and six students.		
Salaries and Wages:		
Principal	$7,500 00	
Teachers	100,209 00	
Other employees	22,270 00	
		$129,979 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$4,859 00	
Educational, recreational and library supplies	6,500 00	
Stationery and office supplies	750 00	
Other materials and supplies	400 00	
Household supplies ..	1,200 00	
Ground supplies	500 00	
		14,209 00
Current repairs		4,335 00

Miscellaneous:		
Traveling expenses ..	$500 00	
Postage	450 00	
Telephone and telegraph	500 00	
Freight, express and cartage	75 00	
Other miscellaneous expenses	650 00	
Printing, including catalog	650 00	
Traveling expenses—Supervision of student teaching	500 00	
		3,325 00
Unclassified:		
All receipts from extension courses are hereby appropriated for the use of said courses, estimated ..		2,000 00
Additions and Improvements:		
Alterations and addition to classrooms in main school building	$3,303 00	
Grading and seeding plot of ground adjoining Audubon avenue	1,350 00	
Gothic card catalog case for library ...	400 00	
Renovating draperies in assembly hall and library	600 00	
		5,653 00
The moneys in this item appropriated to be deducted in the same manner as the moneys appropriated to normal schools are required to be deducted, pursuant to chapter 65, Laws of 1909.		
		$159,501 00

E 12. STATE NORMAL SCHOOL, NEWARK

Newark Normal School.

For salaries and wages, and for maintenance of the State Normal School, Newark, on the basis of five hundred students.		
Salaries and Wages:		
Principal	$7,500 00	
Teachers	136,101 00	
Other employees	19,630 00	
		$163,231 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$4,700 00	
Educational, recreational and library supplies	7,000 00	
Stationery and office supplies	900 00	
Janitors' supplies ...	800 00	
Ground supplies (including ash removal)	550 00	
		13,950 00
Current repairs		4,700 00
Miscellaneous:		
Traveling expenses ..	$500 00	
Postage	500 00	
Telephone and telegraph	600 00	
Printing	700 00	
Freight, express and cartage	60 00	
Other miscellaneous expenses	350 00	
Traveling expenses—Supervisors of student teaching	1,000 00	
		3,710 00

Unclassified:		
All receipts from extension courses are hereby appropriated for the use of said courses, estimated ...		19,500 00
Additions and Improvements:		
New maps for courses in geography and history (1938 history)	$200 00	
Musical equipment for auditorium and classes, including piano for auditorium	1,000 00	
Science laboratory equipment	500 00	
Gym alterations and showers	2,000 00	
Office furniture for reception, faculty and student rooms	150 00	
Library files and furniture	500 00	
Cafeteria furniture and equipment	300 00	
Arts and industrial arts equipment	1,500 00	
Educational equipment for various departments (mathematical)	200 00	
		6,350 00
Payments under this account to be made pursuant to chapter 2, Laws of 1920.		
		$211,441 00

E 13. STATE NORMAL SCHOOL, PATERSON

Paterson Normal School.

For salaries and wages, and for maintenance of the State Normal School, Paterson, on the basis of three hundred students, pursuant to the provisions of chapter 125, Laws of 1921, and chapter 52, Laws of 1923.

Salaries and Wages:		
Principal	$7,500 00	
Teachers	55,009 00	
Other employees	6,570 00	
		$69,079 00
Materials and Supplies:		
Educational, recreational and library supplies	$5,000 00	
Stationery and office supplies	600 00	
Janitors' supplies ...	400 00	
Medical, surgical and laboratory supplies.	100 00	
Other materials and supplies	100 00	
Heat, light, power, water, gas and electricity	2,750 00	
		8,950 00
Miscellaneous:		
Traveling expenses ..	$500 00	
Postage	600 00	
Telephone and telegraph	350 00	
Freight, express and cartage	50 00	
Other miscellaneous expenses	200 00	
Printing	600 00	
Traveling expenses, student teaching ..	500 00	
		2,800 00

Unclassified:		
All receipts from extension courses are hereby appropriated for the use of said courses, estimated...		3,500 00
Additions and Improvements:		
Science equipment ...	$3,500 00	
Filing equipment and library desk	500 00	
Partitioning rooms for offices	350 00	
Tablet armchairs	1,500 00	
Gymnasium equipment	200 00	
Furniture for social room	200 00	
Equipment for art department	1,400 00	
		7,650 00
The moneys in this item appropriated to be deducted in the same manner as the moneys appropriated to normal schools are required to be deducted, pursuant to chapter 65, Laws of 1909.		
		$91,979 00

E 14. State Teachers College, Montclair

Montclair Teachers College.

For salaries and wages and for maintenance of the State Teachers College, Montclair, on the basis of eight hundred students.		
Salaries and Wages:		
Principal	$7,500 00	
Teachers	193,032 00	
Other employees	26,300 00	
		$226,832 00

Materials and Supplies:		
Heat, light, power, water, gas and electricity	$8,565 00	
Educational, recreational and library supplies	11,000 00	
Stationery and office supplies	1,475 00	
Ground supplies	1,490 00	
Other materials and supplies	500 00	
Janitors' supplies ...	1,100 00	
		24,130 00
Current repairs		10,150 00
Miscellaneous:		
Traveling expenses ..	$500 00	
Traveling expenses, practice teaching ..	2,250 00	
Postage	800 00	
Telephone and telegraph	900 00	
Printing	1,400 00	
Other miscellaneous expenses	650 00	
Freight, express and cartage	175 00	
		6,675 00
Unclassified:		
For the expenses of maintenance of the boarding halls there is hereby appropriated all the receipts therefrom pursuant to the provisions of chapter 58, of the Laws of 1910, and all unexpended balances ...	$68,000 00	

All receipts from extension courses are hereby appropriated for the use of said courses, estimated .	32,000 00	
		100,000 00
Additions and Improvements:		
Heavy wire fence with gates	$1,800 00	
Shrubs and planting of shrubs for outdoor theatre	300 00	
Small truck with three widths mower, snow plow and trailer ...	1,100 00	
		3,200 00
Payments under this account to be made pursuant to chapter 65, Laws of 1909.		
		$370,987 00

E 15. STATE TEACHERS COLLEGE AND STATE NORMAL SCHOOL, TRENTON

Trenton Teachers College and Normal School.

For salaries and wages, and for the maintenance of the State Teachers College and State Normal School, Trenton, on the basis of seven hundred and thirty students.		
Salaries and Wages:		
Principal	$7,500 00	
Business manager ...	4,000 00	
Teachers	205,468 00	
Other employees	39,206 00	
		$256,174 00

Materials and Supplies:		
Heat, light, power, water, gas and electricity	$27,600 00	
Janitors' supplies	1,800 00	
Educational, recreational and library supplies	11,000 00	
Stationery and office supplies	1,200 00	
Other materials and supplies	300 00	
Vehicular transportation supplies	550 00	
Ground supplies	400 00	
		42,850 00
Current repairs		7,000 00
Miscellaneous:		
Traveling expenses	$500 00	
Postage	800 00	
Telephone and telegraph	2,000 00	
Freight, express and cartage	300 00	
Other miscellaneous expenses	500 00	
Printing	1,400 00	
Expenses, supervision of student teaching	2,000 00	
		7,500 00
Unclassified:		
For the expenses of maintenance of the boarding halls and lunch room, there is hereby appropriated all the receipts therefrom pursuant to the provisions of chapter 58, Laws of 1910, and all unexpended balances	$100,000 00	

All receipts from extension courses are hereby appropriated for the use of said courses, estimated	8,500 00	
		108,500 00
Additions and Improvements:		
Lockers and equipment — Physical Education Building	$1,140 00	
Roads, walks, grading, landscape service ..	1,000 00	
Bleachers — Physical Education Building	1,200 00	
Motor vehicles	250 00	
Furniture and scientific equipment — James Green Hall.	4,500 00	
State equipment — Kendall Hall	800 00	
Equipment — Commercial Building ..	900 00	
Boiler feed pump	550 00	
Grounds lighting	4,000 00	
Filter beds	4,700 00	
		19,040 00
Payment under this account to be made pursuant to chapter 65, Laws of 1909.		
		$441,064 00

E 16. Teachers' Libraries

Teachers' Libraries.

Establishment and maintenance of libraries for use of teachers	$400 00
Payment under this account to be made pursuant to chapter 2, Laws of 1920.	

E 17. TEACHERS' RETIREMENT FUND—PENSION AND ANNUITY FUND

Teachers' Retirement Fund.

State Treasurer, for expenses incurred in connection with the fund, pursuant to chapter 80, Laws of 1919.		
Salaries of clerks	$5,280 00	
Materials and supplies and miscellaneous expenses	200 00	
		$5,480 00
Payments under this account to be made pursuant to chapter 2, Laws of 1920.		

E 18. VOCATIONAL SCHOOLS

Vocational schools.

For the purpose of carrying into effect the provisions of chapter 76, Laws of 1916, which provides for the appropriation of State funds for the purpose of carrying out the provisions of chapter 294 of the Laws of 1913, which authorized State aid for vocational schools ...	$244,362 50	
Vocational schools, pursuant to chapter 294, section 23, Laws of 1913, from main stem railroad tax	80,000 00	
For the purpose of carrying into effect the provisions of chapter 119, Laws of 1917, which provides that the State shall appropriate a sum not less than the maximum amount received from the Federal government under an act of Congress, which provides for Federal cooperation in the promotion of such education as agriculture and the trades and industries, and for the proper preparation of teachers of vocational subjects		25,661 00

State supervision	1,000 00
State supervision of vocational schools	5,750 00
Federal aid	33,047 63
Matching George Deen Vocational Law	15,000 00
Federal Aid—George Deen Vocational Law	32,396 35
Payments under this account to be made pursuant to chapter 2, Laws of 1920.	
	$437,217 48

E 19. Teachers Pension and Annuity Fund

Teachers Pension and Annuity Fund.

State's contribution to Teachers Pension and Annuity Fund, pursuant to chapter 80, Laws of 1919, as amended by chapter 167, Laws of 1925, such sum as may be certified by the board of trustees pursuant to said acts to be paid from the main stem railroad tax, approximating $4,557,762 00

E 20. State Aid to School Districts

State Aid to Schools.

Balance of main stem railroad tax to be distributed to counties for school purposes, pursuant to chapter 341, Laws of 1913, approximating $126,124 00

F. Agricultural

F 1. Agricultural Experiment Station

Agricultural Experiment Station.

Salaries and wages and for the expenses of maintenance and operation of the New Jersey Agricultural Experiment Station at New Brunswick, and its authorized activities..	$170,400 00
Printing bulletins and circulars	6,500 00
Books and binding	1,000 00
Abolishing mosquito-breeding, pursuant to chapter 134, Laws of 1906, and chapter 104, Laws of 1912, and investigations incident thereto	13,905 00
Investigation of oyster propagation, pursuant to chapter 187, Laws of 1907	5,955 00
Department of Poultry Husbandry, pursuant to chapter 52, Laws of 1911, and chapter 18, Laws of 1923, including poultry specialists for South Jersey	24,555 00
Seed inspection, pursuant to chapter 228, Laws of 1916	9,195 00
Investigational work with greenhouse crops	5,080 00
Insecticide inspection, pursuant to chapter 89, Laws of 1912	500 00
Educational service in Agricultural Extension, pursuant to the provisions of chapter 364, Laws of 1913, and other Agricultural Extension work	84,905 00
Cranberry and blueberry investigation	6,950 00
Egg-laying and breeding tests pursuant to the provisions of chapter 16, Laws of 1916, and chapter 35, Laws of 1920, including squab breeding tests	9,240 00

Experimental work in growing white potatoes, sweet potatoes and tomatoes		10,765 00
Legume inoculation inspection		1,500 00
Sewage investigation, pursuant to chapter 126, P. L. 1920		18,420 00
For the purpose of carrying into effect the provisions of chapter 75, Laws of 1920, creamery inspection.		2,980 00
Investigation of vegetable diseases		3,305 00
Investigation of bee husbandry		3,330 00
Investigations of diseases of ornamental plants and nursery stock		4,000 00
Experimental work in vegetable production in North Jersey		900 00
Combating insects affecting fruit and ornamental plants		8,750 00
Experimental work with small fruits.		3,605 00
Spray residue investigations		5,950 00
Control of insects affecting vegetable crops investigations		4,295 00
Maintenance of Boys' and Girls' 4-H Club exhibits and payment of premiums		7,500 00
Maintenance and repairs, State buildings at Trenton Fair, also premiums for live stock, poultry, horticultural, agricultural and home economics exhibits at the Trenton State Fair and the several county fairs		4,500 00
Current Repairs:		
Repairs to greenhouses	$500 00	
Repairs to poultry buildings and fences	1,000 00	
		1,500 00

Additions and Improvements:		
Additional farm equipment (Replacements)	$2,000 00	
Replacement of cars and trucks	2,500 00	
		4,500 00

North Jersey Branch

Maintenance, improvements and equipment.	$31,135 00	
Experimental purposes in dairy farming	5,000 00	
		36,135 00
		$460,120 00

F 2. Department of Agriculture

Department of Agriculture.

Salaries and administration of the Department of Agriculture, pursuant to chapter 268, Laws of 1916		$64,830 00
Tuberculosis eradication.	$76,890 00	
Tuberculosis Indemnities	50,000 00	
		126,890 00
Contagious abortion, pursuant to chapter 179, Laws of 1926		6,215 00
Poultry disease control		5,645 00
Miscellaneous animal disease control		6,840 00
Fruit and vegetable marketing, pursuant to chapter 83, Laws of 1921		5,525 00
Market organization and supervision.		4,355 00
Crops and markets information service		7,355 00
Poultry standardization and marketing, pursuant to chapter 83, Laws of 1921		10,920 00
Dairy products marketing	$10,100 00	
Exchange of automobile	500 00	
		10,600 00

Farm statistics and finance		7,310 00
Plant inspection		18,640 00
Bee disease control		2,710 00
Japanese beetle control.	$47,795 00	
Exchange of automobile	2,500 00	
		50,295 00
Gipsy moth extermination	$10,450 00	
Exchange of automobile	1,000 00	
		11,450 00
Licensing and bonding.	$7,500 00	
Exchange of automobile	500 00	
		8,000 00
Fresh egg law enforcement	$10,840 00	
Exchange of automobile	500 00	
		11,340 00
Dutch elm disease control	$39,580 00	
Purchase of automobiles	2,000 00	
		41,580 00
Apportionment to county boards of agriculture, pursuant to chapter 76, Laws of 1887		525 00
Educational program and exhibits, pursuant to chapter 85, Laws of 1931		2,000 00
		$403,025 00

G. Military

G 1. Adjutant-General's Department

Adjutant-General's Department.

Salaries:		
Adjutant-General	$7,500 00	
Deputy Adjutant-General	5,000 00	
Clerical services	13,140 00	
Record division	12,440 00	
		$38,080 00

Materials and Supplies:		
Stationery, office supplies and equipment	$1,000 00	
Vehicular transportation supplies	400 00	
		1,400 00
Miscellaneous:		
Printing and binding.	$900 00	
Other miscellaneous expenses	400 00	
		1,300 00

State Service Officer

Salaries:		
Assistant State service officers (3)	$8,340 00	
Other employees	1,920 00	
		10,260 00
Materials and Supplies:		
Stationery and office supplies	$150 00	
Vehicular transportation supplies	375 00	
		525 00
Miscellaneous:		
Traveling expenses ..	$1,550 00	
Other miscellaneous expenses	75 00	
		1,625 00
Unclassified Expenses:		
Pursuant to the provisions of chapter 44, Laws of 1930, to provide assistance in the education of "War Orphans"		2,500 00
		$55,690 00

G 2. National Guard

Maintenance of Organizations

National Guard.

Allowance for 44th division headquarters ...	$27,500 00
Allowance for 44th Division, Special Troops .	2,500 00
Allowance for 44th Division Aviation	6,000 00
Allowance for headquarters and headquarters company, 57th Infantry Brigade	2,500 00
Allowance for two regiments of Infantry (113th and 114th) ...	12,500 00
Allowance for one regiment of Cavalry (102nd)	21,750 00
Allowance for one regiment of Field Artillery (112th)	14,750 00
Allowance for one regiment of Field Artillery (157th) motorized ...	10,000 00
Allowance for one regiment of Engineers (104th)	7,750 00
Allowance for one Medical Regiment (119th)	3,250 00
Allowance for one Quartermaster Regiment (119th)	2,500 00
Allowance for 59th Cavalry Brigade Headquarters	2,500 00
Allowance for headquarters and Headquarters Battery, 69th Field Artillery Brigade ...	2,500 00

Allowance for State Staff Corps and Department	2,000 00	
Caretaker of military equipment, Signal Corps	900 00	
Caretaker for drill hall at Flemington	600 00	
		$119,500 00

Maintenance of Armories, Arsenals and Camp Grounds

Allowance for rent of quarters, heat and light, and miscellaneous expenses for companies or troops stationed in towns and cities not quartered in State-owned armories, namely, Flemington, Trenton (garages), Cumberland county and Newark	$10,000 00	
State camp grounds, salaries, wages and maintenance, including arsenal at Sea Girt and maintenance thereof .	30,000 00	
Regimental armories at Jersey City, Paterson, Trenton (2), Englewood, Teaneck and two at Newark and two at Camden	111,000 00	
Troop, battery and battalion armories at East Orange, Elizabeth, Red Bank, Orange, Westfield, Passaic, Atlantic City, West Orange, Morristown and Newark Air Port, maintenance ...	73,000 00	

Company armories at Somerville, Hackensack, Bridgeton, Asbury Park, New Brunswick, Mount Holly, Burlington, Salem, Dumont, Woodbury and Plainfield ..	32,000 00	
Fire insurance on all military buildings and contents	31,900 00	
Insurance, other than fire	13,000 00	
Rent of drill hall for headquarters and machine gun troops, Newark	3,000 00	
Automobile maintenance	3,000 00	
Salary and expenses of Superintendent of Building Construction	7,000 00	
		313,900 00

Army Instruction and Field Training

Transportation and expenses for battalion drills, inspection, parades, schools of instruction and pay and expenses of inspecting officers and transportation of disabled soldiers	$4,000 00	
Compensation of officers and employees and expenses incurred in connection with rifle practice	10,000 00	
Pay of caretakers and mechanics for motorized and mounted organizations	10,000 00	

Salary of clerk to senior inspector-instructor ..	1,500 00	
Compensation of officers and enlisted men and expenses in connection with annual encampment provided that payment for services and supplies incident to the field training of part of the National Guard during the month of June, 1937, is authorized from this item	75,000 00	
Traveling expenses, inspector-instructors ..	1,000 00	
Attendance of national guard officers at conferences and for pay of contract surgeons..	2,000 00	
		103,500 00

General Maintenance Expenses

Maintenance of military equipment	$9,000 00	
Military boards expenses	500 00	
		9,500 00

Armory Construction

Renovations, repairs and additions to thirty-three armories, buildings at camp grounds and rifle range	$25,000 00	
Furnishings for thirty-three armories	50,000 00	
		75,000 00

Claims

Compensation, hospitalization and medical attendance due to injuries in National Guard service under provisions of chapter 46, Laws of 1925, Article 13	$5,000 00	
Claim of Mrs. Audrey Marion Johnson, for the death of her husband, Second Lieut. George R. Johnson, Air Corps, 44th Div. Aviation, which occurred at Red Bank, N. J., Nov. 5, 1933	1,040 00	
Claim of Mrs. Anna E. Poole, for the death of her husband, Staff Sergeant Alfred W. Poole, Air Corps, 44th Div. Aviation, which occurred at Red Bank, N. J., Nov. 5, 1933 ...	854 32	
Claim of Private Walter J. McGrail, Troop E, 102nd Cavalry, for permanent disability as the result of an injury received April 2, 1934	1,040 00	
		7,934 32
		$629,334 32

G 3. NAVAL MILITIA RESERVE

Brigade headquarters	$300 00	Naval Militia Reserve.
Second Battalion, Camden		
Allowance for miscellaneous expenses in lieu of company expenses	1,000 00	
Allowance for battalion headquarters	200 00	
Seventh Battalion, Jersey City		
Allowance for miscellaneous expenses in lieu of company expenses	1,000 00	
Allowance for battalion headquarters	200 00	
Eighth Battalion, Perth Amboy		
Allowance for miscellaneous expenses in lieu of company expenses	1,000 00	
Allowance for battalion headquarters	200 00	
Pay, expenses, et cetera, of officers and enlisted men on annual cruise and practice cruises	7,600 00	
Pay of shipkeepers, rent of wharves and drill hall, maintenance and general expenses	6,700 00	
Maintenance of Perth Amboy armory	4,000 00	
Maintenance of Camden armory	4,000 00	
	$26,200 00	

G 4. QUARTERMASTER-GENERAL'S DEPARTMENT

Salaries:		Quartermaster-General's Department.
Quartermaster - General	$7,500 00	
Deputy Quartermaster-General	5,000 00	
Chief, administrative section	4,000 00	
Chief, finance section.	3,000 00	

Chief, property section	3,000 00	
Compensation of other assistants	10,740 00	
		$33,240 00
Materials and Supplies:		
Stationery and office supplies		500 00
Miscellaneous:		
Other miscellaneous expenses		200 00
		$33,940 00

G 5. State Militia

State Militia. Equipping, quartering and training a Colored Battalion of State Militia, five companies $53,250 00

G 6. New Jersey Grand Army of the Republic

Grand Army of the Republic. Providing assistance to the Department of New Jersey, Grand Army of the Republic, pursuant to chapter 156, Laws of 1921 ..... $1,000 00

H. Pension and Retirement Fund

H 1. Judicial Retirement Fund

Judicial Retirement Fund. For the purpose of carrying out the provisions of chapter 313, Laws of 1908; chapter 185, Laws of 1911; chapter 256, Laws of 1918; chapters 107 and 358, Laws of 1920, and chapter 3, Laws of 1929 ..... $9,000 00

H 2. Pensions

Sundry pensions.

For amount required to pay pensions pursuant to various acts relative thereto, irrespective of any provisions therein that pensions shall be made in the appropriation or tax levy for the department of the public service from which the pensioner shall be so retired	$87,000 00

H 3. State Employees' Retirement System

State Employees' Retirement System.

Expenses in carrying into effect the provisions of chapter 109, Laws of 1921.

Salaries:		
Secretary	$4,000 00	
Compensation for assistants	10,800 00	
		$14,800 00
Materials and Supplies:		
Stationery and office supplies	$350 00	
Office equipment	600 00	
		950 00
Miscellaneous:		
Traveling expenses...	$50 00	
Other miscellaneous expenses	350 00	
Printing	125 00	
Insurance (other than fire)	187 84	
		712 84

Unclassified:		
To the Treasurer of the State of New Jersey, custodian for Contingent Reserve Fund, created by section six, chapter 109, Laws of 1921	$83,933 00	
Contributions on account of members' service	213,701 00	
		297,634 00
		$314,096 84

H 4. Annuity for Widows of Governors

Annuity for Governor's widow.

Annuity for widow of Governor of New Jersey, pursuant to chapter 178, Laws of 1920	$2,500 00

J. Constructive

J 1. Port Raritan District Commission

Port Raritan Commission.

Carrying out the provisions of chapter 337, Laws of 1926.	
Salaries	$3,000 00
Miscellaneous expenses	2,000 00
	$5,000 00

J 2. South Jersey Port Commission

South Jersey Port Commission.

For the purpose of carrying out the provisions of chapter 336, Laws of 1926	$33,325 00

J 3. STATE PLANNING BOARD

State Planning Board.

Salaries:		
Compensation of secretary-engineer and other employees		$15,000 00
Materials and Supplies:		
Stationery, office supplies, office equipment and engineering supplies		1,000 00
Miscellaneous Expenses:		
Printing, travel and other miscellaneous expenses		2,500 00
Additions and Improvements:		
Lantern slides		900 00
		$19,400 00

J 4. STATE HOUSING AUTHORITY

State Housing Authority.

Salaries:		
Compensation for assistants		$46,620 00
Materials and Supplies:		
Stationery and office supplies		1,500 00
Miscellaneous Expenses:		
Traveling expenses	$3,500 00	
Telephone and telegraph	1,500 00	
Rent, heat, light and power, including watchmen service (11 district offices)	1,900 00	
Printing	250 00	
Other miscellaneous expenses	2,000 00	
		9,150 00
		$57,270 00

J 5. South Jersey Transit Authority

South Jersey Transit Authority.

Expenses of the commission according to the provisions of chapter 278, Laws of 1935 ..... $5,500 00

K. General

K 1. Burial Grounds

Burial grounds.

For the care and maintenance of burial grounds, purchased by the State pursuant to chapter 171, Laws of 1898 ..... $75 00

K 2. Commissioners of High Point Park

High Point Park.

Expenses incurred by the commission appointed pursuant to the provisions of chapter 36, Laws of 1923:

Salaries:		
Superintendent and executive secretary.	$3,000 00	
Compensation for laborers, mechanics and other employees	20,955 00	
		$23,955 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$4,200 00	
Ground supplies	200 00	
Vehicular transportation supplies	3,600 00	

Sanitary supplies ...	500 00	
Stationery and office supplies	100 00	
Other materials and supplies	275 00	
Supplies for the zoo ..	350 00	
Replacement of trucks and car	1,000 00	
		10,225 00
Current repairs		5,000 00
Miscellaneous:		
Telephone and telegraph	$300 00	
Insurance	860 00	
Other miscellaneous expenses	200 00	
		1,360 00
Additions and Improvements:		
Office equipment	$50 00	
Improvement to water supply	250 00	
Receipts pursuant to chapter 36, Laws of 1923, are appropriated, approximating	10,000 00	
		10,300 00
		$50,840 00

K 3. Commissioners of Palisades Interstate Park

Palisades Interstate Park.

Expenses of commissioners in the operation of the Palisades Interstate Park	$128,618 00

Additions and Improvements:		
Purchase of automobiles and trucks ...	$6,500 00	
Dredging boat basins.	2,500 00	
Purchase of one snow plow	985 00	
Purchase of one blueprinting machine ..	550 00	
Materials for W. P. A. Projects	10,000 00	
		20,535 00
		$149,153 00

K 4. Commission to Investigate Crippled Children

Crippled children.

Carrying out the provisions of chapter 188, Laws of 1926, and supplements.

Salaries:		
Director	$5,000 00	
Secretary	1,800 00	
Clerical services	2,280 00	
Investigating nurse ..	1,500 00	
		$10,580 00
Materials and Supplies:		
Stationery and office supplies	$675 00	
Hospitalization, braces, etc.	6,170 00	
		6,845 00
Miscellaneous Expenses:		
Telephone and telegraph	$75 00	
Traveling expenses ..	1,600 00	
		1,675 00
		$19,100 00

K 5. Old Barracks Association

Old Barracks.

For the Old Barracks Association of Trenton, New Jersey, for maintenance and administration of the Old Barracks at Trenton, as a historical landmark and repository	$2,500 00

K 6. Public Library Commission

Library Commission.

Salaries:		
Secretary	$500 00	
Librarian and organizer	4,500 00	
Assistant librarian and other employees	14,820 00	
		$19,820 00
Materials and Supplies:		
Stationery and office supplies	$1,300 00	
Operating materials and supplies, books and pamphlets	15,000 00	
Vehicular transportation supplies	600 00	
		16,900 00
Miscellaneous:		
Traveling expenses .	$250 00	
Formation and aid of school libraries, chapters 186, P. L. 1914, and 58, Laws of 1922	10,000 00	
Donations to libraries, chapter 62, P. L. 1900	200 00	
Freight and express..	500 00	
Printing and binding.	750 00	
Other miscellaneous expenses	100 00	
		11,800 00
		$48,520 00

K 7. Public Record Office

Public record office.

Salaries:		
Director	$3,000 00	
Clerical services	3,240 00	
		$6,240 00
Materials and Supplies:		
Stationery and office supplies		250 00
Miscellaneous:		
Traveling and other miscellaneous expenses	$700 00	
Binding and repair of public and historical records	500 00	
Directory of county and municipal officials	300 00	
		1,500 00
		$7,990 00

K 8. Rehabilitation Commission

Rehabilitation Commission.

For the purpose of carrying into effect the provisions of chapter 74, Laws of 1919.

Salaries:		
Administrative	$19,700 00	
Physicians in charge and assistants	26,600 00	
Vocational examiners.	23,340 00	
Clinical employees ...	20,520 00	
Clerical and other employees	27,840 00	
Janitor service	3,360 00	
		$121,360 00

Materials and Supplies:		
Office equipment	$500 00	
Stationery and office supplies	400 00	
Medical, surgical and laboratory supplies.	16,900 00	
Household supplies ..	200 00	
Tuition and vocational supplies	18,000 00	
Heat, light, power, water and gas	1,300 00	
		37,300 00
Current repairs		1,000 00
Miscellaneous:		
Traveling expenses ..	$15,000 00	
Rent	4,400 00	
Insurance	283 75	
Telephone and telegraph	2,200 00	
Household expenses..	1,600 00	
Freight, express and other miscellaneous expenses	100 00	
Printing	500 00	
		24,083 75
		$183,743 75

K 9. Refund of Railroad Tax

Refund of overpaid railroad tax.

The Comptroller of the Treasury is hereby authorized and empowered to adjust and repay any overpayment of tax assessed and penalty thereon, for any year, pursuant to section 14, chapter 208, Laws of 1888, and the acts amendatory thereof and supplementary thereto, made by any railroad and canal company, and the State Treasurer

is directed to pay warrants therefor issued by the Comptroller, said payment shall be deducted from the amount originally paid into and remaining undistributed in the treasury of the State, and the amount of money necessary for such purpose as ascertained is hereby appropriated.

K 10. Refunding Taxes on Miscellaneous Corporations

Refunding miscellaneous taxes.

The Comptroller of the Treasury is hereby authorized and directed to allow and certify to the State Treasurer for payment any duplicate payment of tax, or any amount legally adjudged to be an overpayment of franchise taxes and interest thereon by any so-called miscellaneous corporation, provided any such taxes shall not have been assessed or fixed earlier than two years prior to the date of instituting proceedings to recover such overpayment. The State Treasurer is hereby authorized and directed to pay warrants issued therefor by the Comptroller.

Carmary Company, refund of corporation tax paid for the years 1927 to 1932, inclusive, reduced by the New Jersey Supreme Court from $600.00 to $180.00, December 2, 1936	$420 00

K 11. State Library

State Library.

Salaries:		
Librarian	$5,000 00	
Assistant librarian ..	3,500 00	
Law librarian	2,400 00	
Reference librarian ..	2,820 00	
Clerical services and messenger	8,820 00	
		$22,540 00
Materials and Supplies:		
Library supplies	$4,000 00	
Stationery and office supplies	200 00	
		4,200 00
Miscellaneous:		
Legislative reference department	$300 00	
Other miscellaneous expenses	300 00	
Printing and binding.	1,500 00	
		2,100 00
		$28,840 00

K 12. Commission to Mark Historic Sites

Historic sites.

Expenses of the commission, pursuant to chapter 24, Laws of 1931	$18,000 00

K 13. Unclaimed Wages

Unclaimed wages.

The Comptroller is hereby authorized to pay from this fund any claim for unclaimed wages, properly approved.

K 14. NEW JERSEY ARCHIVES

New Jersey archives.

Expenses incurred in printing the New Jersey Archives $500 00

K 15. GROVER CLEVELAND BIRTH PLACE ASSOCIATION

Grover Cleveland Association.

Expenses incurred by the commission appointed pursuant to chapter 270, Laws of 1933 ..... $1,412 50

K 16. PASSAIC VALLEY FLOOD CONTROL COMMISSION

Passaic Valley Flood Control.

Expenses of the commission appointed, pursuant to chapter 157, Laws of 1934 ..... $2,000 00

K 17. COMMISSION TO INVESTIGATE CAUSES OF JUVENILE DELINQUENCY

Juvenile delinquency.

For the purpose of carrying into effect the provisions of chapter 136, Laws of 1936 ..... $25,000 00

K 18. NEW JERSEY UNITED STATES CONSTITUTION COMMISSION

Constitution Commission.

Expenses of the commission, pursuant to Joint Resolution No. 2, Laws of 1935 ..... $10,000 00

L. State Emergency Fund

L 1. State Emergency Fund

Emergency fund.

For the State House Commission to meet conditions of emergency and contingency the sum of $100,000 00

Proviso.

Provided, however, that all disbursements therefrom shall be made upon the written authorization of members of said commission, in accordance with the provisions of chapters 142 and 184, Laws of 1931.

L 2. Fire Insurance

Fire insurance.

For the State House Commission for payment of fire insurance premiums not otherwise provided for, maturing during the current fiscal year, fire insurance on all State buildings to be placed by said Commission, all bills to be approved by said Commission, and policies filed with the State Comptroller as Secretary of the State House Commission .. $83,100 00

L 3. Debt Service

Debt service.

Principal and interest requirements on Emergency Relief Bonds authorized at the election held November 6, 1934 ..... $1,421,875 00

X. Institutions and Agencies

X 1. Department of Institutions and Agencies

Institutions and Agencies.

Salaries:		
Commissioner	$15,000 00	
Deputy commissioner	7,500 00	
Director, division of medicine	7,500 00	
Director of statistics and research	6,000 00	
Supervising steward .	5,500 00	
Director of classification	4,500 00	
Director of inspections	3,500 00	
Agricultural supervisor	4,000 00	
Institutional collectors (2)	6,780 00	
Other officers and employees	61,980 00	
		$122,260 00
Materials and Supplies:		
Stationery, office supplies and equipment	$4,500 00	
Vehicular transportation supplies	5,000 00	
		9,500 00
Miscellaneous:		
Traveling expenses...	$4,000 00	
Deporting aliens and nonresidents	2,200 00	
Other miscellaneous expenses	800 00	
		7,000 00
Additions and Improvements:		
Exchange of automobiles		1,775 00

Central Parole Bureau

Bureau of Parole.

Salaries:		
Director	$4,000 00	
Assistant directors parole and domestic relations (2)	7,740 00	
Parole officers	51,320 00	
Miscellaneous services	1,000 00	
Other employees	23,640 00	
		87,700 00
Materials and Supplies:		
Stationery, office supplies, furniture and equipment	$1,750 00	
Vehicular transportation supplies	4,250 00	
		6,000 00
Miscellaneous:		
Traveling expenses		6,500 00
Additions and Improvements:		
Exchange of automobiles (3)		1,425 00

Division of Old Age Assistance

Old age assistance.

Salaries:		
Director	$4,000 00	
Other officers and employees	28,080 00	
		32,080 00
Materials and Supplies:		
Stationery, office supplies and equipment	$3,000 00	
Vehicular transportation supplies	1,700 00	
		4,700 00

Miscellaneous:		
Traveling expenses ..	$2,000 00	
Other miscellaneous expenses	300 00	
		2,300 00

Industrial Supervision

Industrial supervision.

Salaries:		
Director institutional industries	$7,000 00	
Assistant director of industries	4,500 00	
Clerical services and other employees ...	26,550 00	
	$38,050 00	
Materials, supplies and miscellaneous expenses	700 00	
Miscellaneous:		
Traveling expenses ..	200 00	
	$38,950 00	

State Use Funds

State Use Funds.

For the State Use Revolving Fund there is hereby appropriated the unexpended balance of the fund now known as the "State Use Working Capital Fund," and in accordance with the provisions of section 709, chapter 147, of the Laws of 1918, all receipts when received derived from State use production will be credited to the State Use Revolving Fund.

The following sum is appropriated from the State Use Revolving Fund, for further plant and equipment for State use industries from the surplus in the revolving fund in excess of the amount of $50,000.00.		
Repair, replacement and extension of State use industry, as follows:		
State Prison		
Rahway Reformatory		
Vineland State School		
State Home for Girls		
North Jersey Training School for Females, Totowa		$30,000 00
Criminal Insane and Penal Institutions		
Reformatory, Annandale		
Prison Farm, Bordentown		
Prison Farm, Leesburg		
Reformatory, Clinton		

Division of Architecture and Construction

Architecture and Construction.

Salaries:		
Director	$6,000 00	
Assistant director and mechanical engineer	4,800 00	
Other employees	29,698 00	
		$40,498 00
Materials and Supplies:		
Vehicular transportation supplies	$2,300 00	
Stationery and office supplies	700 00	
		3,000 00
Miscellaneous Expenses:		
Traveling expenses		2,000 00

Additions and Improvements:		
Exchange of automobile		1,000 00
It is hereby provided that additional employees shall be paid from the fees received by the division at rates fixed by the Civil Service Commission.		
		$327,738 00

X 2. Colony for Feeble-Minded Males, New Lisbon

New Lisbon Colony.

For salaries and wages, and for maintenance of the Colony for Feeble-Minded Males, on the basis of eight hundred inmates.

Salaries and Wages:		
Superintendent	$5,000 00	
Other officers and employees	106,200 00	
Medical and surgical fees	1,200 00	
		$112,400 00
Materials and Supplies:		
Food	$38,000 00	
Clothing	12,000 00	
Heat, light, power, water, gas and electricity	24,980 00	
Household supplies ..	9,000 00	
Farm, stable and grounds supplies ..	14,900 00	
Industrial and vocational supplies	1,800 00	
Medical, surgical and laboratory supplies.	2,500 00	
Vehicular transportation supplies	2,250 00	

Stationery and office supplies	500 00	
Educational, recreational and library supplies	700 00	
Other materials and supplies	250 00	
Tobacco	1,400 00	
		108,280 00
Current repairs		6,500 00
Miscellaneous:		
Traveling expenses ..	$1,200 00	
Telephone and telegraph	1,900 00	
Postage	650 00	
Insurance other than fire	737 81	
Entertainment	500 00	
Freight, express and cartage	300 00	
		5,287 81
Additions and Improvements:		
Extraordinary household equipment	$500 00	
Replacement band instruments	500 00	
Exchange of auto	1,200 00	
Farmall tractor	1,250 00	
		3,450 00
		$235,917 81

This colony is authorized to pay for the maintenance of any county indigent patient transferred from the colony to an institution for the training of the feeble-minded, to which moneys are paid by the State pursuant to chapter 217 of the Laws

of 1919, whatever sum or sums is received from the counties to pay the cost of such maintenance of any said patient in the colony.

X 3. Colony for Feeble-Minded Males, Woodbine

Woodbine Colony.

For salaries and wages, and for maintenance of the Colony for Feeble-Minded Males, Woodbine, on the basis of six hundred and sixty-five inmates.

Salaries and Wages:		
Superintendent	$4,500 00	
Physician	1,800 00	
Attendants, nurses and other employees	107,404 00	
Medical, surgical and dental fees	800 00	
		$114,504 00
Materials and Supplies:		
Food	$54,000 00	
Clothing	8,000 00	
Heat, light, power, water, gas and electricity	19,500 00	
Household supplies ..	7,500 00	
Farm, stable and grounds supplies ..	2,000 00	
Medical and surgical supplies	1,800 00	
Stationery and office supplies	600 00	
Vehicular transportation supplies	1,300 00	
Educational, recreational and library supplies	500 00	
		95,200 00
Current repairs		5,250 00

Miscellaneous:		
Telephone and telegraph	$1,000 00	
Traveling expenses	500 00	
Postage	450 00	
Funeral expenses	300 00	
Insurance, other than fire	375 00	
Freight and express	150 00	
Entertainment	400 00	
Other miscellaneous expenses	250 00	
		3,425 00
Additions and Improvements:		
Playground equipment (2 areas)	$250 00	
Replacement of stoker bars, fire brick, etc.	800 00	
Exchange of auto	500 00	
Air compressor	600 00	
Redistribution system for sewage disposal	1,500 00	
Replacement of soot blowers	800 00	
Gasoline sewer pumps	700 00	
Painting buildings, exterior and interior.	2,500 00	
Repairs to railroad siding	500 00	
		8,150 00
Extraordinary Expenditures:		
Compensation award to Mrs. Calloway		743 60
		$227,272 60

This colony is authorized to pay for the maintenance of any county indigent patient transferred from the colony to an institution for training of the feeble-minded, to which moneys are paid by the State pursuant to chapter 217 of the Laws of 1919, whatever sum or sums received from the counties to pay the cost of such maintenance of any said patient in the colony.

X 4. COMMISSION FOR THE BLIND

Commission for the Blind.

Salaries:		
Executive officer and secretary	$4,000 00	
Assistant executive officer	2,520 00	
Teachers of occupational subjects and other employees: present, $29,940; new, $2,400.00	32,340 00	
		$38,860 00
Materials and Supplies:		
Household supplies ..	$65 00	
Extension of home industries	3,000 00	
Stationery and office supplies	650 00	
Office equipment	50 00	
Light and power	50 00	
		3,815 00
Miscellaneous Expenses:		
Traveling expenses ..	$7,500 00	
Postage	1,200 00	
Support and instruction of the blind ...	33,000 00	

Higher education of the blind	3,600 00	
Publicity, demonstrations, and sales	1,000 00	
Expressage	850 00	
Entertainment for the blind	250 00	
Telephone and telegraph	750 00	
Prevention of blindness	1,500 00	
State relief for the blind	500 00	
Other miscellaneous expenses	250 00	
		50,400 00
Additions and Improvements:		
Purchase of office appliances		100 00

The balance to the credit of the outdoor relief—Revolving Fund—on the thirtieth day of June, one thousand nine hundred and thirty-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 thirty-seven, is hereby reappropriated as a Revolving Industrial Fund, said sum not to exceed $2,000.00.

$93,175 00

X 5. County Insane Hospitals

County hospitals for the insane.

For the support of patients pursuant to chapter 67, Laws of 1924, in County Insane Hospitals:		
Atlantic	$47,000 00	

Burlington	43,000 00	
Camden	130,000 00	
Cumberland	27,000 00	
Essex	530,000 00	
Hudson	260,000 00	
		$1,037,000 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 chapter 217, Laws of 1912, in the following county hospitals:

Atlantic	$16,000 00	
Bergen	78,000 00	
Burlington	24,000 00	
Camden	77,500 00	
Cape May	2,500 00	
Cumberland	15,000 00	
Essex	165,000 00	
Gloucester	8,100 00	
Hudson	124,800 00	
Hunterdon	4,500 00	
Mercer	40,000 00	
Middlesex	65,000 00	
Monmouth	22,000 00	
Morris	21,000 00	
Ocean	4,500 00	
Passaic	82,500 00	
Salem	5,500 00	
Somerset	18,000 00	
Sussex	2,300 00	
Union	95,000 00	
Warren	5,000 00	
		$876,200 00

Said amounts to include payment of bills prior to current fiscal year.

X 7. FEEBLE-MINDED

Clothing, maintenance, support and instruction of feeble-minded	$172,500 00	Feeble-minded.

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	$5,000 00		
Other officers and employees	27,170 00		
Religious services ...	150 00		
		$32,320 00	
Materials and Supplies:			
Food	$11,000 00		
Clothing	1,200 00		
Heat, light, power, water, gas and electricity	4,500 00		
Household supplies ..	800 00		
Grounds (includes care of cemetery) ..	300 00		
Stationery and office supplies	250 00		
Medical, surgical and laboratory supplies.	600 00		
Vehicular transportation supplies	750 00		
Other materials and supplies	100 00		
		19,500 00	
Current repairs		500 00	

Miscellaneous:		
Household expenses ..	$700 00	
Traveling expenses ..	220 00	
Postage	200 00	
Telephone and telegraph	300 00	
Funeral expenses	150 00	
Entertainment	175 00	
Freight and express..	25 00	
Insurance, other than fire	212 00	
		1,982 00
		$54,302 00

X 9. Home for Disabled Soldiers, Etc., Vineland

Soldiers' Home, Vineland.

For salaries and wages, and for maintenance of the Home for Disabled Soldiers, Sailors, et cetera, Vineland, on the basis of two hundred and twenty members.

Salaries and Wages:		
Superintendent	$5,000 00	
Other officers and employees	58,260 00	
Religious services ...	200 00	
Medical and surgical fees	500 00	
		$63,960 00
Materials and Supplies:		
Food	$31,000 00	
Clothing	3,000 00	
Heat, light, power, water, gas and electricity	13,500 00	
Household supplies ..	3,000 00	
Grounds	250 00	

Medical, surgical and laboratory supplies.	1,400 00	
Stationery and office supplies	350 00	
Vehicular transportation supplies	500 00	
Other materials and supplies	250 00	
		53,250 00
Currrent repairs		6,000 00
Miscellaneous:		
Traveling expenses ..	$275 00	
Postage	125 00	
Telephone and telegraph	450 00	
Entertainment	300 00	
Insurance, other than fire	234 65	
Freight and express .	50 00	
Funeral expenses	250 00	
		1,684 65
Additions and Improvements:		
Covering hospital floor	$800 00	
Exterior painting ...	1,500 00	
		2,300 00
		$127,194 65

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 six hundred and twenty-five inmates. Totowa Training School.

Salaries and Wages:		
Superintendent	$5,000 00	
Attendants, nurses and other employees	124,600 00	
Medical, surgical, dental, veterinary and religious fees	3,800 00	
		$133,400 00
Materials and Supplies:		
Food	$35,000 00	
Clothing	8,500 00	
Heat, light, power, water, gas and electricity	27,000 00	
Household supplies ..	7,000 00	
Farm, stable and grounds supplies ..	11,750 00	
Industrial and vocational supplies	1,600 00	
Educational, recreational and library supplies	1,800 00	
Medical, surgical and laboratory supplies.	3,300 00	
Stationery and office supplies	600 00	
Vehicular transportation supplies	1,500 00	
Other materials and supplies	100 00	
		98,150 00
Current repairs		4,500 00
Miscellaneous:		
Postage	$400 00	
Traveling expenses ..	400 00	
Telephone and telegraph	1,400 00	
Entertainment	300 00	
Freight and express..	75 00	

Insurance, other than fire	731 33	
Subscriptions	35 00	
		3,341 33
Additions and Improvements:		
Extraordinary household equipment	$850 00	
Exchange of automobiles	1,000 00	
Compensation award	520 00	
Exchange of trucks (2)	1,500 00	
		3,870 00
		$243,261 33

X 11. Reformatory, Annandale

Reformatory, Annandale.

For salaries and wages and for maintenance of the Reformatory at Annandale, on the basis of four hundred and fifty inmates.

Salaries and Wages:		
Superintendent	$5,000 00	
Deputy Superintendent	2,500 00	
Medical and surgical fees	1,500 00	
Other officers and employees	127,300 00	
Other officers and employees, provided the Committee Substitute for Assembly Bill No. 376 becomes a law	6,860 00	
		$143,160 00

Materials and Supplies:		
Food	$27,500 00	
Clothing	11,000 00	
Heat, light, power, water, gas and electricity	25,000 00	
Farm, stable and grounds supplies	13,200 00	
Household supplies	5,000 00	
Medical, surgical and laboratory supplies.	1,200 00	
Vehicular transportation supplies	1,000 00	
Stationery, office supplies and equipment	800 00	
Educational, recreational and library supplies	1,800 00	
Other materials and supplies	100 00	
Photographing, blueprinting and drafting supplies	150 00	
Tobacco	500 00	
		87,250 00
Current repairs		3,500 00
Miscellaneous:		
Traveling expenses	$400 00	
Telephone and telegraph	1,000 00	
Postage	500 00	
Freight and express	100 00	
Entertainment	400 00	
Funeral expenses	60 00	
Payments to discharged inmates and recapturing escapes	2,500 00	
Insurance other than fire	600 00	
Household expenses	2,000 00	
		7,560 00

Additions and Improvements:		
Exchange of dump truck	$750 00	
Replacement of band instruments	500 00	
		1,250 00
		$242,720 00

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	$6,000 00	
Deputy superintendent	3,000 00	
Other officers and employees	238,750 00	
Other officers and employees provided the Committee Substitute for Assembly Bill No. 376 becomes a law	11,760 00	
Inmates' wages	10,000 00	
Medical and surgical fees	750 00	
		$270,260 00
Materials and Supplies:		
Food	$59,000 00	
Clothing	18,000 00	
Heat, light, power, water, gas and electricity	37,500 00	
Household supplies ..	8,250 00	

Farm, stable and grounds supplies ..	9,600 00	
Industrial and vocational supplies	600 00	
Educational, recreational and library supplies	800 00	
Photographing, blueprinting and drafting supplies	200 00	
Medical, surgical and laboratory supplies.	1,400 00	
Stationery and office supplies	1,400 00	
Vehicular transportation supplies	1,200 00	
		137,950 00
Current repairs		20,000 00
Miscellaneous:		
Traveling expenses ..	$300 00	
Postage	500 00	
Telephone and telegraph	1,300 00	
Freight and express..	100 00	
Funeral expenses	60 00	
Rent of farm land ...	100 00	
Payments to discharged inmates and recapturing escapes	1,500 00	
Insurance, other than fire	500 00	
		4,360 00
		$432,570 00

X 13. Reformatory for Women, Clinton

Reformatory, Clinton.

For salaries and wages, and for maintenance of the Reformatory for Women, Clinton, on the basis of three hundred and twenty-five inmates.

Salaries and Wages:		
Superintendent	$4,000 00	
Assistant superintendent	1,800 00	
Other officers and employees	61,370 00	
Medical and surgical fees	3,500 00	
Religious services ...	550 00	
		$71,220 00
Materials and Supplies:		
Food	$18,000 00	
Clothing	7,500 00	
Heat, light, power, water, gas and electricity	17,000 00	
Household supplies ..	4,500 00	
Farm, stable and ground supplies ...	5,900 00	
Medical and surgical supplies	2,250 00	
Stationery and office supplies	550 00	
Educational, recreational and library supplies	600 00	
Vehicular transportation supplies	1,100 00	
Cannery supplies ...	500 00	
		57,900 00
Current repairs		4,250 00

Miscellaneous:		
Traveling expenses ..	$625 00	
Postage	550 00	
Telephone and telegraph	800 00	
Insurance, other than fire	250 00	
Freight and express .	50 00	
Entertainment	400 00	
Funeral expenses ...	100 00	
Payments to discharged inmates ..	1,400 00	
		4,175 00
Additions and Improvements:		
Extraordinary household expenses	$1,200 00	
New stantions and track (dairy)	500 00	
Cooking school equipment	500 00	
Exchange of truck ..	700 00	
Greenhouse	500 00	
Replacement two silos	800 00	
Repairs to motion picture machine	300 00	
		4,500 00
		$142,045 00

X 14. Sanatorium for Tuberculous Diseases

Glen Gardner Sanatorium.

For salaries and wages, and for the maintenance of the Sanatorium for Tuberculous Diseases, on the basis of four hundred and ninety-four patients.

Salaries and Wages:		
Superintendent	$8,000 00	
Physicians, clerks, nurses, farm help, waiters, instructors and others, including school teachers.	203,680 00	
Medical and surgical fees	100 00	
Religious services ...	800 00	
		$212,580 00
Materials and Supplies:		
Food	$105,000 00	
Heat, light, power, water, gas and electricity	32,000 00	
Household supplies .	10,000 00	
Farm, stable and ground supplies ...	4,000 00	
Medical, surgical and laboratory supplies	11,000 00	
Stationery and office supplies	1,500 00	
Educational, recreational and library supplies	650 00	
Vehicular transportation supplies	2,500 00	
Clothing	500 00	
		167,150 00
Current repairs		12,000 00
Miscellaneous:		
Traveling expenses ..	$600 00	
Postage	700 00	
Telephone and telegraph	2,100 00	
Insurance other than fire	931 23	
Freight and express .	300 00	

Entertainment	500 00	
Funeral expenses ...	300 00	
Miscellaneous expenses	50 00	
		5,481 23

Additions and Improvements:		
Traveling clinic	$16,000 00	
Exchange of truck ..	750 00	
Renovate hot water lines	800 00	
Replacement of fire hose	500 00	
Wire fence around reservoir tank	735 00	
Painting interior and exterior	2,000 00	
Automatic temperature controls	800 00	
Fire escape Infirmary and treatment building	825 00	
New roof, store room	875 00	
Repairs to dining room floor	1,500 00	
New laundry extractor	1,100 00	
Replacement of kitchen range (children's unit)	400 00	
Painting water tower and tank	600 00	
Replacement of centrifugal pump	1,200 00	
Repairs to boiler fire box	700 00	
Laboratory steam sterilizer	400 00	
Hot water circulators	976 00	
		30,161 00

Extraordinary Expenditures:		
Compensation award, Joan MacLennon		$1,040 00
		$428,412 23

X 15. State Board of Children's Guardians

Board of Children's Guardians.

Salaries:		
Superintendent	$6,500 00	
Supervisors	9,420 00	
Departmental auditor	3,000 00	
Compensation for other assistants, present, $331,252.00; new, $19,200.00	350,452 00	
		$369,372 00
Materials and Supplies:		
Stationery and office supplies	$6,250 00	
Office equipment	2,000 00	
Vehicular transportation supplies	23,750 00	
		32,000 00
Miscellaneous:		
Traveling expenses	$8,000 00	
Postage	12,000 00	
Telephone and telegraph	3,300 00	
Other miscellaneous expenses	500 00	
Insurance other than fire	2,680 00	
		26,480 00

Additions and Improvements:		
Purchase of five new cars	$2,500 00	
Exchange of cars	5,225 00	
Office appliances	500 00	
		8,225 00

Revolving Fund:
For the State Board of Children's Guardians to purchase clothing and other necessary articles for children in their care and for expenses incidental thereto the Revolving Fund of $75,000.00 heretofore appropriated is reappropriated, all receipts when received to be credited to this fund. The same to be known as the State Board of Children's Guardians Revolving Fund.

$436,077 00

X 16. State Home for Boys

State Home for Boys.

For salaries and wages and for maintenance of the State Home for Boys, on the basis of five hundred and fifty inmates.

Salaries and Wages:		
Superintendent	$7,000 00	
Business manager	3,000 00	
Resident physician	3,000 00	
Other officers and employees	170,000 00	
Medical, surgical and veterinary fees	1,000 00	
		$184,000 00

Materials and Supplies:		
Food	$34,500 00	
Clothing	16,000 00	
Heat, light, power, water, gas and electricity	33,000 00	
Household supplies	8,500 00	
Farm, stable and ground supplies	18,000 00	
Industrial and vocational supplies	3,000 00	
Educational, recreational and library supplies	2,750 00	
Medical, surgical and laboratory supplies	2,900 00	
Stationery and office supplies	1,000 00	
Vehicular transportation supplies	2,400 00	
		122,050 00
Current repairs		10,000 00
Miscellaneous:		
Traveling expenses	$400 00	
Postage	700 00	
Telephone and telegraph	1,500 00	
Entertainment expenses	300 00	
Freight and express	300 00	
Assisting boys outside of institution, the equivalent of inmates' fund transferred to State Treasury	600 00	
Insurance, other than fire	500 00	
Funeral expenses	100 00	
		4,400 00

Additions and Improvements:		
Band instruments (exchange)	$250 00	
Replacement of ice compressors	1,058 00	
Automobile exchange.	500 00	
Replacement of fire equipment	1,000 00	
		2,808 00
		$323,258 00

X 17. State Home for Girls

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.

Salaries and Wages:		
Superintendent	$4,000 00	
Physician	2,500 00	
Teachers, nurses, clerks and others ..	75,620 00	
Medical, surgical and dental fees	2,300 00	
		$84,420 00
Materials and Supplies:		
Food	$27,000 00	
Clothing	7,250 00	
Heat, light, power, water, gas and electricity	6,500 00	
Household supplies ..	5,500 00	
Farm, stable and grounds supplies ..	4,500 00	
Educational, recreational and library supplies	2,000 00	

Stationery and office supplies	700 00	
Medical and surgical supplies	1,000 00	
Vehicular transportation supplies	700 00	
Other materials and supplies	400 00	
		55,550 00
Current repairs		4,000 00
Miscellaneous:		
Traveling expenses...	$550 00	
Postage	400 00	
Telephone and telegraph	1,200 00	
Insurance, other than fire	300 00	
Freight and express..	100 00	
Entertainment	150 00	
Payments to discharged inmates ...	200 00	
		2,900 00
		$146,870 00

X 18. State Hospital, Greystone Park

For salaries and wages, and for maintenance of the State Hospital, Greystone Park, on the basis of five thousand two hundred fifty inmates. State Hospital, Greystone Park.

Salaries and Wages:		
Medical director and superintendent	$8,000 00	
Business manager ...	4,000 00	
Chief engineer	3,600 00	
Other officers and employees	943,662 00	
Religious services ...	1,300 00	
		$960,562 00

Materials and Supplies:		
Food	$330,000 00	
Clothing	45,000 00	
Heat, light, power, water, gas and electricity	125,000 00	
Household supplies	60,000 00	
Farm, stable and grounds supplies	41,500 00	
Industrial and vocational supplies	5,000 00	
Medical, surgical and laboratory supplies	30,000 00	
Stationery and office supplies	3,000 00	
Recreational supplies (tobacco)	7,000 00	
Vehicular transportation supplies	7,500 00	
		654,000 00
Current repairs		40,000 00
Miscellaneous:		
Traveling expenses	$1,800 00	
Postage	2,000 00	
Telephone and telegraph	5,600 00	
Insurance, other than fire	1,600 00	
Freight and express	3,000 00	
Funeral expenses	4,200 00	
Medical library subscription	100 00	
Other miscellaneous expenses	500 00	
		18,800 00
Unclassified:		
Clinics in various counties		45,000 00
Additions and Improvements:		
Fire hose and equipment	$1,000 00	

Exchange of automobile	1,700 00	
Exchange of trucks (2)	4,000 00	
Relocking main and dormitory buildings	4,000 00	
Compensation award	2,500 00	
Repairs to railroad siding	500 00	
Office equipment	1,500 00	
Extraordinary house equipment	9,000 00	
Six food carts	1,300 00	
Containers for food carts	530 00	
Surgical equipment	1,700 00	
Farm equipment	1,000 00	
Purchase of six cars	3,000 00	
Hospital type silent doors for clinic elevator	1,400 00	
Refrigeration, clinic building diet kitchen	850 00	
		33,980 00
		$1,752,342 00

X 19. State Hospital, Marlboro

State Hospital, Marlboro.

For salaries and wages, and for maintenance of the State Hospital, Marlboro, on the basis of two thousand one hundred and fifty inmates.

Salaries and Wages:		
Medical director	$5,000 00	
Business manager and superintendent	4,500 00	
Other officers and employees	407,155 00	
Medical fees	600 00	
		$417,255 00

Materials and Supplies:		
Food	$118,000 00	
Clothing	23,000 00	
Heat, light, power, water, gas and electricity	72,000 00	
Farm, stable and grounds supplies	20,000 00	
Household supplies	25,000 00	
Medical, surgical and laboratory supplies	17,500 00	
Industrial and vocational supplies	1,800 00	
Educational, recreational and library supplies	1,600 00	
Stationery and office supplies	2,200 00	
Vehicular transportation supplies	2,400 00	
Tobacco	1,600 00	
Other materials and supplies	400 00	
		285,500 00
Current repairs		15,000 00
Miscellaneous:		
Traveling expenses	$1,000 00	
Postage	1,200 00	
Insurance, other than fire	1,350 00	
Telephone and telegraph	2,600 00	
Funeral expenses	500 00	
Freight and express	800 00	
Subscriptions	50 00	
Other miscellaneous expenses	500 00	
		8,000 00

Additions and Improvements:		
Replacement of automobiles (2)	$1,000 00	
Fire protection equipment	1,200 00	
Laundry dryer	3,500 00	
Exchange of tractor .	1,500 00	
Exchange of two trucks	1,200 00	
Irrigation	1,500 00	
		9,900 00
Extraordinary Expenditures:		
Compensation award Chas. B. Lanning..	$1,040 00	
Compensation award Ethel Perdunn	1,040 00	
		2,080 00
		$737,735 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 two thousand seven hundred and fifty inmates.

Salaries and Wages:		
Warden	$5,000 00	
Medical director	6,000 00	
Other officers and employees	707,403 00	
In lieu of maintenance of nine physicians and their families .	13,200 00	
Religious services ...	700 00	
		$732,303 00

Materials and Supplies:		
Food	$184,000 00	
Clothing	23,000 00	
Heat, light, power, water, gas and electricity	117,000 00	
Household supplies	36,000 00	
Farm, stable and grounds supplies	36,000 00	
Medical and surgical supplies	28,000 00	
Stationery and office supplies	3,000 00	
Vehicular transportation supplies	3,000 00	
Tobacco	4,000 00	
		434,000 00
Current repairs		29,000 00
Miscellaneous:		
Traveling expenses	$2,500 00	
Telephone and telegraph	4,000 00	
Postage	1,000 00	
Entertainment	500 00	
Funeral expenses	900 00	
Newspapers and magazines	250 00	
Insurance, other than fire	1,778 97	
Freight and express	125 00	
Cemetery upkeep	200 00	
Other miscellaneous expenses	400 00	
		11,653 97
Unclassified:		
Psychiatric clinic, for various institutions with headquarters at State Hospital, Trenton		38,275 00

Additions and Improvements:		
Exchange of automobile	$1,700 00	
Replacement of laundry machinery	10,700 00	
Replacement of electric therapy equipment	2,500 00	
Iron grilles in fire stairway	1,300 00	
Exchange of tractor and equipment	2,000 00	
Exchange of concrete mixer	800 00	
Replacement of water tank (Knight Farm)	1,000 00	
		20,000 00
		$1,265,231 97

X 21. State Prison

State Prison.

For salaries and wages, and for maintenance of the State Prison on the basis of one thousand inmates.

Salaries and Wages:	
Principal keeper	$6,000 00
Director of industries	6,000 00
Other officers and employees	307,190 00
Other officers and employees, provided the Committee Substitute for Assembly Bill No. 376 becomes a law	12,740 00
Wages for inmates at prison (other than State use)	10,000 00

Medical, surgical and dental fees	1,800 00	
Religious services ...	4,920 00	
		$348,650 00
Materials and Supplies:		
Food	$62,000 00	
Clothing	22,000 00	
Heat, light, power, water, gas and electricity	42,000 00	
Household supplies ..	10,500 00	
Grounds supplies	100 00	
Medical, surgical and laboratory supplies	5,000 00	
Stationery and office supplies	1,500 00	
Educational, recreational and library supplies	1,500 00	
Vehicular transportation supplies	1,200 00	
Industrial and vocational supplies	150 00	
Photographing, blueprinting and drafting supplies	800 00	
Tobacco	1,000 00	
		147,750 00
Current repairs		13,000 00
Miscellaneous:		
Traveling expenses (including returning runaways)	$1,700 00	
Postage	400 00	
Telephone and telegraph	1,500 00	
Insurance, other than fire	900 00	

Freight and cartage ..	150 00	
Electrocution plant ..	800 00	
Payments to discharged inmates ...	1,400 00	
Funeral expenses	150 00	
Other miscellaneous expenses	250 00	
		7,250 00
Additions and Improvements:		
Protective equipment replacement	$500 00	
Barred steel grill at entrance to front house	800 00	
Alterations to attic in front house to provide storage room and officers' locker room	1,200 00	
Metal clothes lockers for new officers' locker room	1,000 00	
		3,500 00
Extraordinary Expenditures:		
Compensation award to Mrs. Butcher		865 00
		$521,015 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	$3,600 00	
Chief deputy	2,500 00	
Custodial officers and other employees: present, $44,360.00; new, $49,800.00 ...	94,160 00	
Custodial officers and other employees, provided the Committee Substitute for Assembly Bill No. 376 becomes a law..	1,800 00	
Inmates' wages	7,500 00	
		$109,560 00
Materials and Supplies:		
Food	$33,000 00	
Clothing	11,500 00	
Heat, light, power, water, gas and electricity	18,500 00	
Household supplies ..	5,000 00	
Farm, stable and grounds supplies ..	17,000 00	
Vehicular transportation supplies	1,000 00	
Stationery and office supplies	600 00	
Educational, recreational and library supplies	300 00	
Tobacco	150 00	
		87,050 00
Current repairs		2,500 00
Miscellaneous:		
Traveling expenses ..	$75 00	
Telephone and telegraph	650 00	

Insurance, other than fire	160 00	
Postage	150 00	
Other miscellaneous expenses	150 00	
		1,185 00
		$200,295 00

X 23. State Prison Farm, Leesburg

Prison Farm, Leesburg.

For salaries and wages, and for maintenance of the State Prison Farm, Leesburg, on the basis of two hundred and forty inmates.

Salaries and Wages:		
Superintendent	$2,700 00	
Other officers and employees	48,440 00	
Other officers and employees, provided the Committee Substitute for Assembly Bill No. 376 becomes a law	1,480 00	
Wages for inmates	3,000 00	
Medical and surgical fees	50 00	
		$55,670 00
Materials and Supplies:		
Food	$14,000 00	
Clothing	5,000 00	
Heat, light, power, water, gas and electricity	7,600 00	
Household supplies	4,000 00	

Farm, stable and grounds supplies ..	4,000 00	
Medical, surgical and laboratory supplies.	400 00	
Stationery and office supplies	450 00	
Educational, recreational and library supplies	50 00	
Vehicular transportation supplies	500 00	
Tobacco	25 00	
		36,025 00
Current repairs		2,500 00
Miscellaneous:		
Traveling expenses ..	$150 00	
Postage	150 00	
Telephone and telegraph	650 00	
Insurance, other than fire	300 00	
Freight and cartage .	50 00	
Entertainment	50 00	
Other miscellaneous expenses	50 00	
		1,400 00
Additions and Improvements:		
Exchange of truck ...	$600 00	
Repairs to floors, Dormitories No. 1 and No. 2	750 00	
Painting interior and exteriors	1,800 00	
		3,150 00
		$98,745 00

X 24. VILLAGE FOR EPILEPTICS

Village for Epileptics.

For salaries and wages, and for maintenance of the Village for Epileptics on the basis of one thousand five hundred inmates.

Salaries and Wages:		
Superintendent	$8,000 00	
Steward	4,000 00	
Senior resident physician	4,000 00	
Other officers and employees	246,840 00	
Medical and surgical fees	500 00	
Religious services ...	750 00	
		$264,090 00
Materials and Supplies:		
Food	$87,000 00	
Clothing	10,500 00	
Heat, light, power, water, gas and electricity	46,000 00	
Household supplies ..	18,000 00	
Farm, stable and grounds supplies ..	17,300 00	
Medical, surgical and laboratory supplies	8,500 00	
Stationery and office supplies	850 00	
Industrial and vocational supplies	600 00	
Educational, recreational and library supplies	800 00	
Vehicular transportation supplies	2,500 00	

Other materials and supplies, including tobacco	1,300 00	
		193,350 00
Current repairs		12,000 00
Miscellaneous:		
Traveling expenses ..	$1,300 00	
Postage	600 00	
Telephone and telegraph	1,800 00	
Insurance, other than fire	1,100 00	
Freight and express .	250 00	
Entertainment expenses	500 00	
Funeral expenses ...	400 00	
Other miscellaneous expenses	100 00	
		6,050 00
Additions and Improvements:		
Extraordinary household supplies	$3,000 00	
Repairs to railroad siding	700 00	
Replacement of fire hose and equipment	500 00	
Replacement of two silos	1,000 00	
Power lawn mower ..	375 00	
Replacing, moving and relocating power house pumps	4,000 00	
		9,575 00
Extraordinary Expenditures:		
Compensation award granted to Clarence Parker		640 12
		$485,705 12

X 25. VINELAND STATE SCHOOL

Vineland State School.

For salaries and wages, and maintenance of the Vineland State School, on the basis of one thousand four hundred inmates.		
Salaries and Wages:		
Superintendent	$7,000 00	
Physicians, executive assistants, clerks, mechanics and others	186,961 00	
Medical, surgical and oculist fees	2,500 00	
Religious services ...	500 00	
		$196,961 00
Materials and Supplies:		
Food	$73,000 00	
Clothing	16,000 00	
Heat, light, power, water, gas and electricity	35,000 00	
Household supplies .	15,500 00	
Farm, stable and grounds supplies ..	17,800 00	
Industrial and vocational supplies	1,400 00	
Medical, surgical and laboratory supplies	4,000 00	
Stationery and office supplies	1,000 00	
Vehicular transportation supplies	1,500 00	
Educational, recreational and library supplies	1,600 00	
Other materials and supplies	200 00	
		167,000 00
Current repairs		10,000 00

Miscellaneous:		
Traveling expenses ..	$1,500 00	
Postage	1,050 00	
Telephone and telegraph	1,500 00	
Insurance, other than fire	720 00	
Entertainments	1,000 00	
Funeral expenses ...	200 00	
Freight and express.	300 00	
		6,270 00
Additions and Improvements:		
Automobile exchange	$700 00	
Extraordinary household equipment	1,000 00	
Replacement of cows.	1,500 00	
Rebuilding Harrisburg engine	2,000 00	
Exterior and interior painting	2,000 00	
		7,200 00
Extraordinary Expenditures:		
Compensation award to Randolph Cobianchi		520 00
		$387,951 00

This institution is authorized to pay for the maintenance of any county indigent patient transferred from the institution to an institution for training of the feeble-minded, to which moneys are paid by the State pursuant to chapter 217, of the Laws of 1919, whatever sum or sums is received from the counties to pay the cost of such maintenance of any said patient in the institution.

SOCIAL SECURITY SUBSIDIES (IN CONFORMANCE WITH FEDERAL LEGISLATION)

X 26. STATE SUBSIDY FOR DIVISION OF OLD AGE ASSISTANCE

Old age assistance.

For the purpose of making payments for Old Age Assistance pursuant to Chapter 31, P. L. 1936.		
Total State, county and Federal cost based on average of 30,461 recipients		$7,083,118 00
Less:		
Federal contribution (50%)	$3,493,013 00	
County contribution (12½%)	885,389 00	
		4,378,402 00
Net estimated amount to be borne by State		$2,704,716 00
Atlantic		$137,544 00
Bergen		166,596 00
Burlington		83,653 00
Camden		215,493 00
Cape May		53,743 00
Cumberland		104,091 00
Essex		444,115 00
Gloucester		65,780 00
Hudson		249,992 00
Hunterdon		43,640 00
Mercer		136,458 00
Middlesex		143,612 00
Monmouth		244,318 00
Morris		113,323 00
Ocean		69,392 00

Passaic	143,185 00	
Salem	40,885 00	
Somerset	32,509 00	
Sussex	29,765 00	
Union	125,284 00	
Warren	61,338 00	
		$2,704,716 00

X 27. STATE SUBSIDY FOR MAINTENANCE OF CHILDREN UNDER THE CARE OF THE BOARD OF CHILDREN'S GUARDIANS PURSUANT TO CHAPTER 33, LAWS OF 1936

State subsidy for children.

Total estimated cost ... $5,260,623 00

Less estimated Federal contribution	$1,052,889 00	
Estimated county contribution	2,103,867 00	
		3,156,756 00
Net estimated amount to be borne by State ...		$2,103,867 00

Atlantic	$61,057 00
Bergen	108,980 00
Burlington	48,796 00
Camden	137,561 00
Cape May	14,890 00
Cumberland	31,167 00
Essex	645,934 00
Gloucester	32,472 00
Hudson	349,482 00

Hunterdon	9,601 00	
Mercer	63,953 00	
Middlesex	96,337 00	
Monmouth	89,194 00	
Morris	54,075 00	
Ocean	23,688 00	
Passaic	110,506 00	
Salem	19,069 00	
Somerset	30,423 00	
Sussex	23,237 00	
Union	119,632 00	
Warren	33,813 00	
		$2,103,867 00
Total State Fund Appropriation ...		$38,737,429 64

TRUST AND DEDICATED FUNDS

State School Fund

Sundry appropriations.

2. The following sums or so much thereof as may be necessary are hereby appropriated out of the income of the school fund for the purposes specified:

Free Public Schools

Schools.

For the support of free public schools $500,000 00

Premiums and Accrued Interest

Premiums and accrued interest.

There shall be paid from the income of the school fund such sums required to pay premiums and accrued interest on bonds purchased by the trustees for the support of public schools.

School Fund Expenses

School fund expenses.

For necessary legal and other expenses incurred by or under the direction of the trustees for the support of public schools in the investment and protection of the school fund, and in the collection of the income thereof $4,500 00

Refunds

Refunds.

Whenever by the conversion of a lease into a grant, or by the execution of a new lease, the rental that has been paid in advance to the State for land under water under riparian lease is in excess of the amount actually accruing and owing thereunder, and the same has been carried to the credit of the trustees of

the school fund, the State Treasurer, upon warrant of the Comptroller, is hereby authorized and directed at any time upon application of the persons entitled to the same, to repay such excess from the income of the school fund.

$504,500 00

3. The following sums or so much thereof as may be necessary are hereby appropriated from the free balances and dedicated and trust fund revenues as follows:

Morris Canal Fund

Morris canal fund.

Expenses in connection with the administration of the property of the Morris Canal and Banking Company, estimated $13,000 00

Proviso.

Provided, however, that there shall be refunded to the State fund such amounts as have heretofore been advanced from said fund to the Morris Canal Fund whenever and to the extent that the canal funds exceed the liabilities of said fund for the balance of the fiscal year 1938.

State Forest Fund

State forest fund.

Silviculture improvement of the State forests $15,000 00

State Purchase Fund

State purchase fund.

The unexpended balance of the State Purchase Fund is hereby reappropriated, together with such

sums as may be returned to the State Treasury for the reimbursement of said fund, so that a "Purchase Fund" not exceeding $250,000.00 will be established and maintained for the purpose of making payments for purchases pursuant to the purchase act (chapter 179, P. L. 1931), and for the expenses of handling, storing and transporting purchases so made, the cost of said purchases to be apportioned among the various using agencies and the appropriations current for their use so as to reimburse the said "Purchase Fund" for said purchases when so made; said amounts so appropriated to be credited to said fund when deposited in the State Treasury for disbursement in accordance with the provisions of said chapter 179, P. L. 1931. 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 Purchasing Agent from any source shall by him be paid to the State Treasurer and deposited in the general fund of the State; *provided, further,* that the salaries and incidental expenses to operate said fund shall not exceed fifty thousand dollars, divided as follows:

Proviso.

Proviso.

Salaries, $33,972.00; Incidental expenses, $16,028.00.

Public Shooting and Fishing Grounds Fund

Shooting and fishing grounds.

Salaries	$23,040 00
Materials and supplies	39,585 00
Current repairs	350 00
Miscellaneous expenses	5,775 00
Additions and improvements	3,600 00
New buildings and land	26,750 00
	$99,100 00

Moneys used as specified.

4. No money shall be drawn from the treasury except for objects as hereinabove specifically appropriated, and except such sums as may be required to refund amounts credited to the State Treasurer which do not represent State revenue, and except such sums which are by law devoted to specific purposes, namely, State school tax, Department of Agriculture receipts, pursuant to section seven, chapter eighty-three, laws of one thousand nine hundred and twenty-one, United States appropriation to Agricultural College, and taxes for the use of taxing districts in this State, Grade Crossing Elimination Fund, Emergency Relief Funds, Forest Fires Fund, Forest Nursery Fund, Workmen's Compensation Tax Fund, 1837 Surplus Revenue Fund Income, State Police Retirement Fund, Clerk in Chancery Enrollment Fund, Unemployment Compensation Commission, Compensation award, pursuant to chapter one hundred and sixty-four, laws of one thousand nine hundred and thirty-five, and Student Loans, Billboard Regulation Fund, moneys received from tuition at the summer schools, which last named sums shall be paid pursuant to the laws applicable thereto; this section shall not be construed to prohibit the payment due upon any contract made under an appropriation of the previous years; moneys received by the Department of Conservation and Development from the sale or lease of forest reserve lands pursuant to chapter one hundred and eighty-seven, laws of nineteen hundred and thirteen; moneys received by the Quartermaster-General under the provisions of section seventeen, chapter eighty-one, laws of one thousand nine hundred and seventeen, as amended March fourth, one thousand nine hundred and eighteen; nor shall this act apply to moneys appropriated by joint resolution of the Legislature where such moneys have been set apart by the State Comptroller. No purchase of new automobiles shall be made unless specifically provided for by appropriation in this act.

Construing section.

Act not applicable.

No purchase of automobiles.

Transfer of appropriations.

5. In order that some degree of flexibility in appropriations may be had, any department or other State agency receiving an appropriation by any act of the Legislature may apply to the State House Commission for leave to transfer a part of any item granted to such department or agency to any other item in such appropriation. Such application shall only be made during the current year for which the appropriation was made, and if the State House Commission shall consent thereto, it shall notify the Comptroller thereof in writing, whereupon the Comptroller shall place the amount so transferred to the credit of the item so designated; *provided, however,* that no sum appropriated for any permanent improvement shall be used for maintenance or for any temporary purpose.

Proviso.

Corrections made to comply with intentions.

6. The Comptroller of the Treasury is hereby authorized, empowered, directed, and it shall be his duty to make such correction of the title or text, or both, of an appropriation, necessary to make such appropriation available for the purpose or purposes of its intention. Such correction shall be by written ruling, reciting in appropriate details the facts thereof, and the reasons therefor, attested by the signature of said Comptroller and filed in the Department of the Comptroller of the Treasury as an official record thereof, and any action thereunder, including disbursements and the audit thereof, shall be legally binding and of full force and virtue.

No increase in compensation during fiscal year.

7. No increase in the rate of compensation of any officer or employee in the State's service beyond that received by him or her as the incumbent of any State office or position at the end of the fiscal year one thousand nine hundred and thirty-seven, shall be made or authorized during the fiscal year for which appropriations are made in this or in any other act while he or she continues in the service of the State, except in positions where the cash rate of compensation is less than seventy dollars ($70.00) per month, in the case of institutional

nurses receiving less than the established entrance rate of compensation and in such promotions as have been passed upon and approved by the Appropriations Committee and provided for in this act. Promotions shall not be made or authorized as a means of compensation advancement unless specifically provided for herein. *However,* such other reasonable and necessary increases in compensation of officers and employees during the fiscal year one thousand nine hundred and thirty-eight shall be made upon the recommendations of the heads of departments, bureaus, boards, commissions, agencies, institutions, and the like, when and if approved by the Civil Service Commission, as the needs of the service may require, and insofar as possible in compliance with the Governor's budget for one fiscal year one thousand nine hundred and thirty-eight; *provided,* appropriation balances and lapses are available to support such increases. For the purpose of effectuating such reasonable and necessary increases all moneys as may lapse or so much thereof as may be necessary from current appropriations of the fiscal year one thousand nine hundred and thirty-six-thirty-seven shall accrue to and shall be considered an appropriation hereby made available to the State House Commission for the purpose of allowing such increases. The incumbents of offices or positions for which line item appropriations are made shall not receive compensation in excess of the amounts herein provided.

Promotions.

Proviso.

8. The offices of all departments, boards, commissions and agencies of the State government shall be open for the transaction of public business except on Sundays and legal holidays from 9:00 A. M. to 5:00 P. M., Monday to Friday, inclusive, and from 9:00 A. M. to 12:00 M. on Saturdays. The working hours of all full-time State officers and employees in offices, departments and agencies, not including educational and other institutions in the State, shall be from 9:00 A. M. to 5:00 P. M., Monday to Friday, inclusive, and 9:00 A. M. to 12:00

Working hours.

Summer schedule.

M. on Saturdays, except with the approval of the Governor, the Civil Service Commission may, by regulation, reduce the working day by one hour and authorize alternate Saturday mornings off for the months of July and August. Department heads are authorized, with the approval of the Civil Service Commission, to fix other hours to meet the requirements of individual departments for all or any part of their employees, but the working hours of all such employees shall not be less than as herein provided. The working hours of officers and employees at institutions shall be such as are determined by the institutional authorities, but not less than as herein provided. Departmental authorities shall see that working hours as herein provided are observed, and that vacation leaves and other leaves, with pay, shall be limited in accordance with existing law and regulations.

Requirements.

Vacations and leaves of absence.

Order of disbursing funds.

9. The Comptroller of the Treasury is hereby empowered, and it shall be his duty in the disbursement of funds available for the general uses of this State, to first provide for the maintenance of the administration of the government of the State, and of its courts, and of its penal, correctional and charitable institutions, and to apply the remainder of such available funds in such manner and to such purpose for which appropriations may have been made as in his judgment may best conserve the interest of the State.

Transfer from various appropriations.

10. The State House Commission is hereby empowered, notwithstanding any other provision of the law, to transfer from the various appropriations for construction, reconstruction, additions to and betterments of State building and appurtenances thereto, herein contained, to the appropriation for the division of architecture and construction of the Department of Institutions and Agencies a sufficient sum to pay for the cost of all architectural work, superintendence and other expert services in connection with such work.

Petty cash fund.

11. The Comptroller of the Treasury may, upon application therefor, allot from appropriations

made to any official, department, commission or board a sum, not in excess of three hundred dollars ($300.00), to establish a petty cash fund, for the payment of expenses not in excess of five dollars ($5.00). The allotments thus made by the Comptroller shall be paid to such person as shall be designated as the custodian thereof by the official, department, commission or board making request therefor, and the money thus allotted shall be disbursed by such custodian, who shall require from all persons obtaining money from said fund a receipt therefor. Such receipts shall by such custodian be forwarded monthly to the Comptroller of the Treasury for audit, and the Comptroller of the Treasury shall likewise make regulations governing disbursements from petty cash funds.

Empowered to transfer appropriations.

12. The Comptroller of the Treasury is hereby empowered, and it shall be his duty in the disbursement of funds appropriated for the maintenance and operation of any department or branch thereof, the duties or responsibilities of which are or may hereafter be transferred to any other department, to transfer such appropriations to such department as shall be charged with the responsibility of administering the functions of such department so transferred as aforesaid.

Act effective.

13. This act shall take effect on the first day of July, one thousand nine hundred and thirty-seven.

Approved June 7, 1937.

CHAPTER 178

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

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

Validating municipal election.

1. Whenever heretofore pursuant to the authority of an act entitled "An act concerning municipalities," approved March twenty-seventh, one thousand nine hundred and seventeen, and any act amendatory thereof or supplemental thereto, at any election called or held in any municipality, there has been submitted to the qualified voters of the said municipality the proposition of fixing or changing the salaries of the members of the governing body thereof, or the salaries paid to any officer or to any employee, in any department of the government of the said municipality, the said election and all proceedings for the calling and conducting thereof, and further for the submission of said proposition to the voters at any such election, are hereby validated and confirmed, notwithstanding any irregularity, defect or omission in the proceedings for the calling of said election, in the conduct thereof, or any proceedings for the submission of said proposition to the voters and notwithstanding said proceedings may have been authorized by resolution instead of by ordinance; *provided, however,* that a majority of the votes cast for and against the proposition so submitted shall have been in favor of the adoption of said proposition.

Proviso.

Salaries validated.

2. The salaries so fixed and stated in the proposition submitted to the voters at said election, held as aforesaid, are hereby validated and shall be effective, upon the taking effect of this act.

3. This act shall take effect immediately.

Approved June 7, 1937.

CHAPTER 179

AN ACT to amend an act entitled "An act providing for the retirement of certain judicial officers and former judicial officers and fixing their compensation when retired," approved April sixteenth, one thousand nine hundred and eight.

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

1. Section one of the act to which this is an amendment, approved April sixteenth, one thousand nine hundred and eight, be and the same hereby is amended so as to read as follows: Section 1 amended.

1. The Chancellor, Chief Justice, any associate justice of the Supreme Court, judge of the circuit court, judge of the court of common pleas or Vice-Chancellor who shall have served in one or more of the judicial positions named for a period of not less than fourteen years, may retire from such service upon filing his resignation of the judicial office in the office of the Secretary of State, accompanied by the statement that it is so filed for the purpose of taking advantage of the provisions of this act; *provided*, that no one of said judicial officers shall be permitted to retire under the authority of this section who shall be under the age of seventy years and, if a common pleas judge at the time of his retirement, who shall not have served as a full-time judge under the provisions of section one of chapter three hundred and sixteen of the laws of one thousand nine hundred and thirty-one for at least five of said fourteen years' service as a common pleas judge, service other than as a full-time judge shall only be counted as three-fourths of its face amount. Judges of the court of common pleas retiring pursuant to the provisions of this act shall be paid a compensation upon such retirement equal to one-half of their annual salary, which said sums shall be paid by the county treasurer of the county. Retirement. Proviso. Compensation of retiring common pleas judges.

New Jersey State Library

Act effective.

2. This act shall take effect July first, one thousand nine hundred and thirty-seven.

Approved June 7, 1937.

CHAPTER 180

AN ACT authorizing the county of Gloucester to construct, operate and maintain a vehicular tunnel under the Delaware river; providing for the creation of the Gloucester County Tunnel Commission and conferring powers and imposing duties on such commission; authorizing the issuance of tunnel revenue bonds of the county, payable solely from earnings, to pay the cost of such tunnel; making such bonds and the tunnel exempt from taxation in the State and making such bonds eligible for certain investments; providing for the collection of tunnel tolls for the payment of such bonds, and for the cost of maintenance, operation and repair of the tunnel; prescribing conditions upon which such tunnel shall become public property; providing that no debt of the county or of the State shall be incurred in the exercise of any of the powers granted by this act; providing for condemnation; and authorizing the issuance of tunnel revenue refunding bonds.

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

Short title.

1. Short title. This act may be cited as the "Gloucester County Tunnel Act".

Issuing tunnel revenue bonds.

2. Issuance of tunnel revenue bonds. The county of Gloucester, acting by and through the Gloucester County Tunnel Commission hereinafter provided

for, is hereby authorized and empowered to provide for the construction, operation and maintenance of a vehicular tunnel under the Delaware river from a point in said county to a point opposite in the Commonwealth of Pennsylvania, the location of such tunnel to be not less than ten miles from the existing bridge over the Delaware river between the city of Philadelphia, Pennsylvania, and the city of Camden, New Jersey, measured along the boundary line between the said Commonwealth and the said State, and, to pay the cost of such tunnel, to issue tunnel revenue bonds of said county, payable solely from earnings.

Definitions:

3. Definitions. As used in this act, the following words and terms shall have the following meanings:

Commission:

(a) The word "commission" shall mean the Gloucester County Tunnel Commission hereinafter provided for or, if said commission shall be abolished, any board or officer succeeding to the principal functions thereof or upon whom the powers given by this act to said commission shall be given by law.

Tunnel;

(b) The word "tunnel" shall be deemed to include all property, rights, easements, and franchises relating thereto and deemed necessary or convenient for the operation thereof, and to include the approaches thereto.

Cost of the tunnel;

(c) The term "cost of the tunnel" shall embrace the cost of construction, including the amount to be paid under any contract for such construction which may theretofore have been entered into by any person, firm or corporation whose property, rights, easements, choses in action and franchises shall be acquired by the commission or by the county, and shall also embrace the cost of all land, property, real and personal, rights, easements, choses in action, and franchises acquired which are deemed necessary for such construction, the cost of all machinery and equipment, financing charges, interest prior to and during construction and for

six months after completion of construction, cost of traffic estimates and of engineering and of legal expenses, plans, specifications, surveys, estimates of cost and of revenues, other expenses heretofore or hereafter incurred and necessary or incident to determining the feasibility or practicability of the enterprise, administrative and other expenses of the commission, and such other expenses as may be necessary or incident to the financing herein authorized and the construction of the tunnel and the placing of the same in operation.

Owner; (d) The word "owner" shall include all individuals, incorporated companies, copartnerships, societies or associations having any title or interest in any property, rights, easements or franchises authorized to be acquired by this act.

Resolution by freeholders. 4. Resolution of convenience and necessity; tunnel commission. If the board of chosen freeholders of the county of Gloucester shall desire to take advantage of the provisions of this act, 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. Upon the passage of such resolution, the board of chosen freeholders of the county shall appoint four persons who, together with the chairman of the board of chosen freeholders ex-officio, shall constitute the Gloucester County Tunnel Commission. The members of said commission shall immediately enter upon their duties and the appointed members shall hold office until the expiration of two, three, four and five years, respectively, from the date or dates of their appointment, and until their successors are appointed and qualify, the term of each appointed member to be designated by the board of chosen freeholders at the time of his appointment, but their successors shall be appointed for the term of five years, except that any person appointed to fill a vacancy shall serve only for the unexpired term, and any member of the commission shall be

Gloucester County Tunnel Commission.

Terms.

Hold over.

Term of successors.

eligible for reappointment. Each appointed 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 act, each appointed 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 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 act, 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 act, 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 act. The commission shall have power and authority to

Oath.

Bond.

Organization.

Gloucester County Tunnel Commission.

Rules and regulations.

No salary.

Payment of salaries.

May contract.

enter into such contracts and lease agreements as may be necessary to the complete utilization of every accessible and useable part or portion of the tunnel to be constructed hereunder; *provided, however,* that nothing contained in this act 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.

Proviso.

Empowered to construct tunnel.

5. Construction of tunnel. The commission shall have power and authority, if it deems it expedient so to do, to provide for the construction of the tunnel and to enter into contracts for such construction in such manner as it may deem expedient and to take assignments of any contracts theretofore entered into for such construction and to assume all obligations under such contracts. The cost of such construction shall be paid solely by means of or with the proceeds of tunnel revenue bonds hereinafter authorized. The commission is hereby authorized to purchase within this State and within the Commonwealth of Pennsylvania, solely from funds provided under the authority of this act, such lands, structures, rights-of-way, franchises, easements and other interests, including lands under water and riparian rights, of and from any person, copartnership, association, railroad or other corporation, or municipality or political subdivision, deemed necessary for the construction and operation of the tunnel, upon such terms and at such prices as may be considered by it to be reasonable and can be agreed upon between it and the owner thereof, and to take title thereto in the name of said county of Gloucester.

Paying cost of construction.

Right of eminent domain.

6. Condemnation of property. If, for any of the purposes authorized by this act, the commission shall find it necessary or convenient to acquire any real property in the State of New Jersey, whether for immediate or future use, the commission may find and determine that such property, whether a

fee simple absolute or a lesser interest, is required for public use, and, upon such determination, such property shall be deemed to be required for a public use until otherwise determined by the commission. If the commission shall be unable to agree with the owner or owners thereof upon terms for the acquisition of any such real property in the State of New Jersey for any reason whatsoever, or if the owner or owners shall be legally incapacitated or be absent or be unable to convey valid title or are unknown, then the commission may acquire, and is hereby authorized to acquire, such property, whether a fee simple absolute or a lesser interest, by condemnation or the exercise of the right of eminent domain, either under and pursuant to the provisions of the act of the State of New Jersey entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use" (Revision of one thousand nine hundred), approved March twentieth, one thousand nine hundred, and acts amendatory thereof and supplementary thereto, or under and pursuant to the provisions of the act entitled "An act concerning and regulating acquisition and taking of lands by the State of New Jersey, or any agency thereof; providing a procedure therefor, and the manner of making compensation for lands so taken," approved April twenty-first, one thousand nine hundred and twenty, and the various acts amendatory thereof and supplemental thereto.

Continuing power.

The power of the commission to acquire real property by condemnation or the exercise of the power of eminent domain in the State of New Jersey shall be a continuing power and no exercise thereof shall be deemed to exhaust it.

Right of entry

The commission and its duly authorized agents and employees may enter upon any land in the State of New Jersey in advance of the filing of a petition for the acquisition of the same by condemnation, for the purpose of making such surveys, maps or other examinations thereof as it may deem necessary or convenient for its authorized purposes.

Taking of public property.

Anything to the contrary contained in this act notwithstanding, no property now or hereafter vested in or held by any county, city, borough, village, township or other municipality or port district shall be taken by the commission without the consent of such municipality or port district.

Municipalities, etc., empowered to convey.

All counties, cities, boroughs, villages, townships and other municipalities and all public agencies and commissions of the State of New Jersey, notwithstanding any contrary provisions of law, are hereby authorized and empowered to grant and convey to the commission upon its request, but not otherwise, for an adequate consideration upon reasonable terms and conditions, any real property which may be necessary or convenient to the effectuation of its authorized purposes, including real property already devoted to public use.

Real property defined.

The term "real property" as used in this act includes lands, structures, franchises, and interests in land, including lands under water and riparian rights, and any and all things and rights usually included within the said term, and includes not only fee simple absolute but also any and all lesser interests such as easements, rights-of-way, uses, leases, licenses and all other incorporeal hereditaments, and every estate, interest or right, legal or equitable, including terms of years and liens thereon by way of judgments, mortgages, or otherwise, and also claims for damage to real estate.

Paying for condemned property.

Neither the commission nor the county shall be under any obligation to accept and pay for any property condemned or any costs incidental to any condemnation proceedings, and shall, in no event, pay for the same except from the funds provided by this act; and in any condemnation proceedings, the court having jurisdiction of the suit, action or proceeding, may make such orders as may be just to the commission or to the county and to the owners of the property to be condemned, and may require an undertaking or other security to secure such owners against any loss or damage to be sus-

tained by reason of the failure of the commission to accept and pay for the property, but such undertaking or security shall impose no liability upon the county or upon the commission, except such as may be paid from the funds provided under the authority of this act.

Authorizing tunnel revenue bonds.

7. Tunnel revenue bonds. The commission is hereby authorized to provide by resolution, at one time or from time to time, for the issuance of tunnel revenue bonds of the county of Gloucester for the purpose of paying the cost as hereinabove defined of the tunnel, which resolution shall recite an estimate of such cost. The principal and interest of such bonds shall be payable solely from the special fund herein provided for such payment.

Issuing details.

The bonds shall be dated, shall bear interest at such rate or rates not exceeding six per centum (6%) per annum, payable semiannually, shall mature at such time or times not exceeding forty years from their date, as may be determined by the commission, and may be made redeemable before maturity, at the option of the commission, at such price or prices, not exceeding the par value thereof and a premium of five per centum (5%), and under such terms and conditions as may be fixed by the commission prior to the issuance of the bonds.

Form of bonds.

The commission shall determine the form of the bonds, including the interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof, which may be at any bank or trust company within or without the State.

Signatures required.

The bonds shall be signed by the chairman of the board of chosen freeholders of the county and by the chairman of the commission, under the official seal of the commission, attested by the secretary and treasurer of the commission, and the coupons attached thereto shall bear the facsimile signature of the chairman of the commission.

County not obligated.

All bonds issued under this act shall contain a statement on their face that the county shall not be obligated to pay the same or the interest thereon except from

the revenues of the tunnel. In case any officer whose signature shall appear upon the bonds and coupons shall cease to be such officer before the delivery of such bonds, such signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery. All tunnel revenue bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the State. Provision may be made for the registration of any of the bonds in the name of the owner as to principal alone and also as to both principal and interest. The commission may sell such bonds in such manner and for such price as it may determine to be for the best interests of the county, taking into consideration the financial responsibility of the purchaser and the terms and conditions of the purchase, and especially the availability of the proceeds of the bonds when required for payment of the cost of the tunnel, but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than six per centum (6%) per annum, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values. The proceeds of such bonds shall be used solely for the payment of the cost of the tunnel and shall be checked out by the chairman of the commission under such restrictions, if any, as the commission may provide. If the proceeds of such bonds, by error of calculation or otherwise, shall be less than the cost of the tunnel, additional bonds may in like manner be issued to provide the amount of such deficit, and unless otherwise provided in the trust indenture hereinafter mentioned, shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued for the tunnel. If the proceeds of the bonds shall exceed the cost of the tunnel, the surplus shall be

Bonds negotiable.

Registration.

Selling.

Additional bonds.

paid into the fund hereinafter provided for the payment of principal and interest of such bonds. Prior to the preparation of definitive bonds, the commission may, under like restrictions, issue temporary bonds, with or without coupons, exchangeable for definitive bonds upon the issuance of the latter. The commission may also provide for the replacement of any bond which shall become mutilated or be destroyed or lost. Such tunnel revenue bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings, conditions and things which are specified and required by this act, any other law to the contrary notwithstanding.

Temporary bonds.

Replacement.

8. Exemption from taxation. As the construction of the tunnel is and will be in all respects for the benefit of the people of the State of New Jersey, for the increase of their commerce and prosperity and for the improvement of their health and living conditions, and as the construction and operation of the tunnel will constitute the performance of essential governmental functions, the commission or the county shall not be required to pay any taxes or assessments upon property acquired or used for such purposes, and the tunnel revenue bonds issued under the provisions of this act, their transfer and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation within the State of New Jersey.

Bonds exempt from tax.

9. Eligibility of bonds for investments. Tunnel revenue bonds issued under the provisions of this act are hereby made securities in which all State and municipal officers and bodies of the State of New Jersey, all banks, bankers, savings banks, trust companies, 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 now or may

Eligibility of bonds for investments.

hereafter be authorized to invest in bonds or other obligations of the county, may properly and legally invest any funds, including capital belonging to them or within their control. And such tunnel revenue bonds are hereby made securities which may properly and legally be deposited with and received by any State or municipal officer or agency of the State for any purpose for which the deposit of bonds or other obligations of the county is now or may hereafter be authorized by law. Notwithstanding any provisions of this or any other act, tunnel revenue bonds issued under the provisions of this act may be purchased by the sinking fund commission or the insurance or pension fund commissioners of any county or municipality or may be sold to any member, commission or officers of the State, authorized by law to purchase such bonds.

State and county credit not pledged.

10. Credit of State or of county not pledged. Notwithstanding any provision of this act, the commission shall have no power to pledge the credit of the State of New Jersey or of the county of Gloucester or to create any debt of the State or of the county. The issuance of tunnel revenue bonds under the provisions of this act shall not directly or indirectly or contingently obligate the State or the county to levy or to collect any form of taxation whatever therefor or to make any appropriation for their payment.

Lien upon proceeds.

11. Lien upon bond proceeds. All moneys received from bonds issued under the provisions of this act shall be applied solely to the payment of the cost of the tunnel or to the sinking fund for such bonds, and there shall be and there is hereby created and granted a lien upon such moneys until so applied, in favor of the holders of such bonds or the trustee hereinafter provided for in respect of such bonds.

Trust indenture.

12. Trust indenture. In the discretion of the commission, the bonds may be secured by a trust indenture by and between the commission and a corporate trustee, which may be any trust company or bank having the powers of a trust company

within or outside of the State, but such trust indenture shall not convey or mortgage the tunnel or any part thereof. Either the resolution providing for the issuance of tunnel revenue bonds or such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the commission in relation to the construction, maintenance, operation, repair and insurance of the tunnel, and the custody, safeguarding and application of all moneys, and may also provide that the tunnel shall be constructed and paid for under the supervision and approval of consulting engineers employed or designated by the commission and satisfactory to the original purchasers of the bonds issued therefor, who may be given the right to require that the security given by contractors and by any depository of the proceeds of the bonds or revenues of the tunnel or other moneys pertaining thereto be satisfactory to such purchasers. It shall be lawful for any bank or trust company incorporated under the laws of this State to act as such depository and to furnish such indemnifying bonds or to pledge such securities as may be required by the commission. Such indenture may set forth the rights and remedies of the bondholders and of the trustee, and may restrict the individual right of action of bondholders as is customary in trust indentures securing bonds and debentures of corporations. Except as in this act otherwise provided, the commission may provide by resolution or by such trust indenture for the payment of the proceeds of the sale of the bonds and the revenues of the tunnel to such officer, board, or depository as it may determine for the custody thereof, and for the method of disbursement thereof, with such safeguards and restrictions as it may determine. All expenses incurred in carrying out such trust indenture may be treated as a part of the cost of maintenance, operation, and repairs of the tunnel.

Provisions for protecting bondholders.

Depository.

Form of indenture.

Revenues.

13. Tunnel revenues. The commission shall fix, charge and collect tolls for transit through the tunnel, and such tolls shall be so fixed and adjusted as to provide a fund sufficient to pay the bonds and the interest thereon and to provide an additional fund to pay the cost of maintaining, repairing and operating the tunnel. Such tolls shall not be subject to supervision or regulation by any State commission, board, bureau or agency. The tolls from the tunnel, except such part thereof as may be necessary to pay such cost of maintaining, repairing and operating, shall be set aside each month in a sinking fund, which is hereby pledged to, and charged with the payment of, (a) the interest upon such bonds as such interest shall fall due, (b) the necessary fiscal agency charges for paying bonds and interest, and (c) the payment of the bonds as they fall due, or, if all bonds mature at one time, the proper maintenance of a sinking fund sufficient for the payment thereof at such time, and (d) a margin for the payment of premiums upon bonds retired by call or purchase as herein provided. Such sinking fund shall be a fund for all such bonds without distinction or priority of one over another. Prior to the issuance of the bonds, the commission may provide, by resolution or by such trust indenture, for the use of the sinking fund, or any part thereof, in the purchase of any of the outstanding bonds, payable therefrom, at the market price thereof, but not exceeding the price, if any, at which the same shall at the next interest date be payable or redeemable, and all bonds so redeemed or purchased shall forthwith be cancelled and shall not again be issued. The moneys in the sinking fund, less a reserve for payment of not exceeding one year's interest on the bonds, if not used within a reasonable time for the purchase of bonds for cancellation as above provided, shall be applied to the redemption of bonds by lot at the redemption price then applicable.

Sinking fund

Use of sinking fund to purchase bonds.

Redemption.

Bi-state ownership.

14. Ultimate ownership by the State of New Jersey and the Commonwealth of Pennsylvania. At the expiration of forty years from the date of

the completion of the tunnel or at any time prior thereto when the cost of the tunnel and interest on bonds issued to meet and pay the cost thereof shall have been paid plus fifteen per centum (15%), the title of the tunnel and its appurtenances shall vest jointly in the State of New Jersey and the Commonwealth of Pennsylvania.

Remedies of bondholders and trustees.

15. Remedies of bondholders and trustee. Any holder of any of such bonds, or any of the coupons attached thereto, and the trustee, if any, except to the extent the rights herein given may be restricted by resolution passed before the issuance of the bonds or by the trust indenture, may, either at law or in equity, by suit, action, mandamus, or other proceeding, protect and enforce any and all rights granted hereunder or under such resolution or trust indenture, and may enforce and compel performance of all duties required by this act, or by such resolution or trust indenture, to be performed by the county or by the commission, or any officer thereof, including the fixing, charging, and collecting of tolls for the use of the tunnel.

Federal aid.

16. Contributions. The commission, in addition to the funds which may be received from the sale of tunnel revenue bonds and from the collection of tolls and other tunnel revenues derived under the provisions of this act, shall have authority to receive and accept contributions of either money or property or other things of value, to be held, used, and applied for the purposes in this act provided, and shall also have authority to receive and accept any grant which may be made by the Federal Emergency Administrator of Public Works or other Federal agency.

Limiting construction of competing bridges, etc.

17. Competing bridges, tunnels and ferries. No bridge or tunnel for the use of the traveling public shall hereafter be constructed or operated by any county, municipal corporation, or political subdivision of the State of New Jersey, and no franchise shall hereafter be granted for the operation of a ferry, within ten miles of the tunnel constructed

under the authority of this act, measured along the boundary line between the State of New Jersey and the Commonwealth of Pennsylvania, so long as any bond or bonds, or the interest thereon be outstanding and unpaid; *provided, however,* that nothing in this act shall be construed to prevent the construction of any bridge or tunnel by treaties between the State of New Jersey and the Commonwealth of Pennsylvania with the approval of the Congress of the United States of America at any point connecting the State of New Jersey and the Commonwealth of Pennsylvania over or under the Delaware river.

Proviso, construing.

Tunnel revenue refunding bonds.

18. Tunnel revenue refunding bonds. The commission is hereby authorized to provide by resolution for the issuance of tunnel revenue refunding bonds of the county for the purpose of refunding any tunnel revenue bonds issued under the provisions of this act and then outstanding. The issuance of such tunnel revenue refunding bonds, the maturities and other details thereof, the rights of the holders thereof, and the duties of the county and of the commission in respect to the same, shall be governed by the foregoing provisions of this act insofar as the same may be applicable, and by the following provisions:

Issuing details and provisions.

(a) No tunnel revenue refunding bonds shall be delivered, unless delivered in exchange for tunnel revenue bonds to be refunded thereby, except in the amount necessary to provide for the payment of matured or redeemable tunnel revenue bonds or tunnel revenue bonds maturing or redeemable within three months, including any redemption premium thereon.

(b) No tunnel revenue refunding bonds shall be issued, unless issued to refund tunnel revenue bonds which have matured or will mature within three months, or unless the interest rate of the tunnel revenue refunding bonds shall be at least one-fourth of one per centum less than the interest rate borne by the tunnel revenue bonds to be refunded.

Construing.

19. Act liberally construed. This act, being necessary for the welfare of the State and its inhabitants, shall be liberally construed to effect the purposes hereof.

Constitutionality.

20. Constitutional construction. If any proviso, clause or section of this act shall be attacked in any court, and any such proviso, clause or section shall be declared unconstitutional or invalid, such proviso, clause or section shall be exscinded from this act but the remainder of this act shall stand.

Application of act.

21. Act provides additional method. Nothing contained in this act shall be deemed to supersede, abrogate or repeal in any way any powers heretofore granted to any county in this State. This act shall be deemed to provide an additional method for the doing of the things authorized hereby, and shall be regarded as supplemental and additional to powers conferred by other laws, and shall not be regarded as in derogation of any powers now existing.

22. This act shall take effect immediately.

Approved June 7, 1937.

CHAPTER 181

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

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

Copy of form to be filed before issuing.

1. On and after the first day of January, one thousand nine hundred and thirty-eight, no policy of insurance against loss or damage from the sick-

ness or the bodily injury or death of the insured by accident shall be issued or delivered in this State by any insurance company to any resident thereof until a copy of the form thereof and the classification of risks and the premium rates pertaining thereto have been filed with the Commissioner of Banking and Insurance. If the commissioner shall at any time notify any company of his disapproval of any such policy form, as contrary to law, specifying particulars, it shall be unlawful for such company thereafter to issue any policy in the form so disapproved. Such disapproval of the commissioner may be reviewed by a writ of certiorari.

Notice of disapproval.

Review.

Recitals in policy.

2. No such policy shall be so issued or delivered (1) unless the entire money and other considerations therefor are expressed in the policy; nor (2) unless the time at which the insurance thereunder takes effect and terminates is stated in a portion of the policy preceding its execution by the insurer; nor (3) if the policy purports to insure more than one person; nor (4) unless every printed portion thereof and of any endorsements or attached papers shall be plainly printed in type of which the face shall be not smaller than ten point; nor (5) unless a brief description thereof be printed on its first page and on its filing back in type of which the face shall be not smaller than fourteen point; nor (6) unless the exceptions of the policy be printed with the same prominence as the benefits to which they apply; *provided, however,* that any portion of such policy which purports, by reason of the circumstances under which a loss is incurred to reduce any indemnity promised therein to an amount less than that provided for the same loss occurring under ordinary circumstances, shall be printed in bold face type and with greater prominence than any other portion of the text of the policy.

Proviso.

Standard provisions:

3. Every such policy so issued shall contain certain standard provisions, which shall be in the

words and in the order hereinafter set forth and be preceded in every policy by the caption, "Standard Provisions." In each such standard provision wherever the word "insurer" is used, there shall be substituted therefor "company" or "corporation" or "association" or "society" or such other word as will properly designate the insurer. Said standard provisions shall be:

Contract;

(1) A standard provision relative to the contract which may be in either of the following two forms: Form (A) to be used in policies which do not provide for reduction of indemnity on account of change of occupation, and Form (B) to be used in policies which do so provide. If Form (B) is used and the policy provides indemnity against loss from sickness, the words "or contracts sickness" may be inserted therein immediately after the words "in the event that the insured is injured":

Contains entire contract;

Change of occupation not to effect;

(A) 1. This policy includes the endorsements and attached papers if any, and contains the entire contract of insurance. No reduction shall be made in any indemnity herein provided by reason of change in the occupation of the insured or by reason of his doing any act or thing pertaining to any other occupation.

Modification.

(B) 1. This policy includes the endorsements and attached papers if any, and contains the entire contract of insurance except as it may be modified by the insurer's classification of risks and premium rates in the event that the insured is injured after having changed his occupation to one classified by the insurer as more hazardous than that stated in the policy, or while he is doing any act or thing pertaining to any occupation so classified, except ordinary duties about his residence or while engaged in recreation, in which event the insurer will pay only such portion of the indemnities provided in the policy as the premium paid would have purchased at the rate but within the limits so fixed by the insurer for such more

hazardous occupation. If the law of the State in which the insured resides at the time this policy is issued requires that prior to its issue a statement of the premium rates and classification of risks pertaining to it shall be filed with the State official having supervision of insurance in such State then the premium rates and classification of risks mentioned in this policy shall mean only such as have been last filed by the insurer in accordance with such law, but if such filing is not required by such law, then they shall mean the insurer's premium rates and classification of risks last made effective by it in such State prior to the occurrence of the loss for which the insurer is liable.

Provisions relative to changes:

(2) A standard provision relative to changes in the contract which shall be in the following form:

Statement of applicant not to avoid policy; Agent not to change.

2. No statement made by the applicant for insurance not included herein shall avoid the policy or be used in any legal proceeding hereunder. No agent has authority to change this policy or to waive any of its provisions. No change in this policy shall be valid unless approved by an executive officer of the insurer and such approval be endorsed hereon.

Reinstatement of policy:

(3) A standard provision relative to reinstatement of policy after lapse which may be in either of the three following forms: Form (A) to be used in policies which insure only against loss from accident; Form (B) to be used in policies which insure only against loss from sickness, and Form (C) to be used in policies which insure against loss from both accident and sickness.

Accidental injury;

(A) 3. If default be made in the payment of the agreed premium for this policy, the subsequent acceptance of a premium by the insurer or by any of its duly authorized agents shall reinstate the policy, but only to cover loss resulting from accidental injury thereafter sustained.

Sickness;

(B) 3. If default be made in the payment of the agreed premium for this policy, the subsequent acceptance of a premium by the insurer or by any

of its duly authorized agents shall reinstate the policy, but only to cover such sickness as may begin more than ten days after the date of such acceptance.

Injury and sickness.

(C) 3. If default be made in the payment of the agreed premium for this policy, the subsequent acceptance of a premium by the insurer or by any of its duly authorized agents shall reinstate the policy, but only to cover accidental injury thereafter sustained and such sickness as may begin more than ten days after the date of such acceptance.

Form of notice of claim:

(4) A standard provision relative to time of notice of claim which may be in either of the three following forms: Form (A) to be used in policies which insure only against loss from accident; Form (B) to be used in policies which insure only against loss from sickness, and Form (C) to be used in policies which insure against loss from both accident and sickness. If Form (A) or Form (C) is used the insurer may at its option add thereto the following sentence: "In event of accidental death immediate notice thereof must be given to the insurer."

Injury;

(A) 4. Written notice of injury on which claim may be based must be given to the insurer within twenty days after the date of the accident causing such injury.

Sickness;

(B) 4. Written notice of sickness on which claim may be based must be given to the insurer within ten days after the commencement of the disability from such sickness.

Injury or sickness.

(C) 4. Written notice of injury or of sickness on which claim may be based must be given to the insurer within twenty days after the date of the accident causing such injury or within ten days after the commencement of disability from such sickness.

Sufficiency of notice.

(5) A standard provision relative to sufficiency of notice of claim which shall be in the following form and in which the insurer shall insert in the

blank space such office and its location as it may desire to designate for such purpose of notice:

Notice to insurer.

5. Such notice given by or in behalf of the insured or beneficiary, as the case may be, to the insurer at ..... or to any authorized agent of the insurer, with particulars sufficient to identify the insured, shall be deemed to be notice to the insurer. Failure to give notice within the time provided in this policy shall not invalidate any claim if it shall be shown not to have been reasonably possible to give such notice and that notice was given as soon as was reasonably possible.

Failure to notify not to invalidate claim.

Forms for proof of loss.

(6) A standard provision relative to furnishing forms for the convenience of the insured in submitting proof of loss as follows:

To furnish forms.

6. The insurer upon receipt of such notice, will furnish to the claimant such forms as are usually furnished by it for filing proofs of loss. If such forms are not so furnished within fifteen days after the receipt of such notice the claimant shall be deemed to have complied with the requirements of this policy as to proof of loss upon submitting within the time fixed in the policy for filing proofs of loss, written proof covering the occurrence, character and extent of the loss for which claim is made.

Deemed to have complied.

Forms for filing proof of loss.

(7) A standard provision relative to filing proof of loss which shall be in such one of the following forms as may be appropriate to the indemnities provided:

Proof to be furnished within 90 days.

(A) 7. Affirmative proof of loss must be furnished to the insurer at its said office within ninety days after the date of the loss for which claim is made.

(B) 7. Affirmative proof of loss must be furnished to the insurer at its said office within ninety days after the termination of the period of disability for which the company is liable.

(C) 7. Affirmative proof of loss must be furnished to the insurer at its said office in case of

claim for loss of time from disability within ninety days after the termination of the period for which the insurer is liable, and in case of claim for any other loss, within ninety days after the date of such loss.

Provision relative to examination.

(8) A standard provision relative to examination of the person of the insured and relative to autopsy which shall be in the following form:

Right of insurer to examine.

8. The insurer shall have the right and opportunity to examine the person of the insured when and so often as it may reasonably require during the pendency of claim hereunder, and also the right and opportunity to make an autopsy in case of death where it is not forbidden by law.

Provisions for payment of indemnities.

(9) A standard provision relative to the time within which payments other than those for loss of time on account of disability shall be made, which provision may be in either of the following two forms and which may be omitted from any policy providing only indemnity for loss of time on account of disability. The insurer shall insert in the blank space either the word "immediately" or appropriate language to designate such period of time, not more than sixty days, as it may desire: Form (A) to be used in policies which do not provide indemnity for loss of time on account of disability, and Form (B) to be used in policies which do so provide:

Forms to be used.

(A) 9. All indemnities provided in this policy will be paid ..... after receipt of due proof.

(B) 9. All indemnities provided in this policy for loss other than that of time on account of disability will be paid ..... after receipt of due proof.

Periodic payment of indemnities.

(10) A standard provision relative to periodical payments of indemnity for loss of time on account of disability, which provision shall be in the following form, and which may be omitted from any policy not providing for such indemnity. The insurer shall insert in the first blank space of the

form appropriate language to designate the proportion of accrued indemnity it may desire to pay, which proportion may be all or any part not less than one-half, and in the second blank space shall insert any period of time not exceeding sixty days.

Form to be used.

10. Upon request of the insured and subject to due proof of loss ..... accrued indemnity for loss of time on account of disability will be paid at the expiration of each ..... during the continuance of the period for which the insurer is liable, and any balance remaining unpaid at the termination of such period will be paid immediately upon receipt of due proof.

Form for payment of indemnities:

(11) A standard provision relative to indemnity payments which may be in either of the two following forms: Form (A) to be used in policies which designate a beneficiary, and Form (B) to be used in policies which do not designate any beneficiary other than the insured:

Beneficiary;

(A) 11. Indemnity for loss of life of the insured is payable to the beneficiary if surviving the insured, and otherwise to the estate of the insured. All other indemnities of this policy are payable to the insured.

Insured.

(B) 11. All the indemnities of this policy are payable to the insured.

Cancellation.

(12) A standard provision providing for cancellation of the policy at the instance of the insured which shall be in the following form:

Return unearned premiums.

12. If the insured shall at any time change his occupation to one classified by the insurer as less hazardous than that stated in the policy, the insurer, upon written request of the insured, and surrender of the policy, will cancel the same and will return to the insured the unearned premium.

Provision relative to beneficiary.

(13) A standard provision relative to the rights of the beneficiary under the policy which shall be in the following form and which may be omitted from any policy not designating a beneficiary:

Consent of beneficiary not necessary to assignment.

13. Consent of the beneficiary shall not be requisite to surrender or assignment of this policy

or to change of beneficiary, or to any other changes in the policy.

Limiting time for instituting suit.

(14) A standard provision limiting the time within which suit may be brought upon the policy as follows:

Bringing suit.

14. No action at law or in equity shall be brought to recover on this policy prior to the expiration of sixty days after proof of loss has been filed in accordance with the requirements of this policy, nor shall such action be brought at all unless brought within two years from the expiration of the time within which proof of loss is required by the policy.

Time limitation.

(15) A standard provision relative to time limitation of the policy as follows:

Time extended to agree with act.

15. If any time limitation of this policy with respect to giving notice of claim or furnishing proof of loss is less than that permitted by the law of the State in which the insured resides at the time this policy is issued, such limitation is hereby extended to agree with the minimum period permitted by such law.

Provisions policy not to contain.

4. No such policy shall be so issued or delivered which contains any provision (1) relative to cancellation at the instance of the insurer; or (2) limiting the amount of indemnity to a sum less than the amount stated in the policy and for which the premium has been paid; or (3) providing for the deduction of any premium from the amount paid in settlement of claim; or (4) relative to other insurance by the same insurer; or (5) relative to the age limits of the policy; unless such provisions which are hereby designated as optional standard provisions, shall be in the words and in the order in which they are hereinafter set forth, but the insurer may at its option omit from the policy any such optional standard provision. Such optional standard provisions if inserted in the policy shall immediately succeed the standard provisions named in section three of this act.

Provision relative to cancellation.

(1) An optional standard provision relative to cancellation of the policy at the instance of the insurer as follows:

Method of cancellation.

16. The insurer may cancel this policy at any time by written notice delivered to the insured or mailed to his last address as shown by the records of the insurer, together with cash or the insurer's check for the unearned portion of the premium, actually paid by insured, and such cancellation shall be without prejudice to any claim originating prior thereto.

Reducing amount of indemnity.

(2) An optional standard provision relative to reduction of the amount of indemnity to a sum less than that stated in the policy as follows:

Where insured has insurance covering the same loss.

17. If the insured shall carry with another company, corporation, association or society other insurance covering the same loss without giving written notice to the insurer, then in that case the insurer shall be liable only for such portion of the indemnity promised as the said indemnity bears to the total amount of like indemnity in all policies covering such loss, and for the return of such part of the premium paid as shall exceed the pro rata for the indemnity thus determined.

Deduction of premium.

(3) An optional standard provision relative to deduction of premium upon settlement of claim as follows:

Deducting unpaid premium.

18. Upon the payment of claim hereunder any premium then due and unpaid or covered by any note or written order may be deducted therefrom.

Provision relative to other insurance.

(4) An optional standard provision relative to other insurance by the same insurer which shall be in such one of the following forms as may be appropriate to the indemnities provided, and in the blank spaces of which the insurer shall insert such upward limits of indemnity as are specified by the insurer's classification of risks, filed as required by this act:

Excess indemnity insurance void.

(A) 19. If a like policy or policies, previously issued by the insurer to the insured, be in force concurrently herewith, making the aggregate in-

demnity in excess of $....., the excess insurance shall be void and all premiums paid for such excess shall be returned to the insured.

Excess indemnity insurance for loss of time void.

(B) 19. If a like policy or policies, previously issued by the insurer to the insured, be in force concurrently herewith, making the aggregate indemnity for loss of time on account of disability in excess of $..... weekly, the excess insurance shall be void and all premiums paid for such excess shall be returned to the insured.

Excess indemnity and disability insurance void.

(C) 19. If a like policy or policies, previously issued by the insurer to the insured, be in force concurrently herewith, making the aggregate indemnity for loss other than that of time on account of disability in excess of $....., or the aggregate indemnity for loss of time on account of disability in excess of $..... weekly, the excess insurance of either kind shall be void and all premiums paid for such excess shall be returned to the insured.

Provision for age limits.

(5) An optional standard provision relative to the age limits of the policy which shall be in the following form and in the blank spaces of which the insurer shall insert such number of years as it may elect:

Form.

20. The insurance under this policy shall not cover any person under the age of ..... years nor over the age of ..... years. Any premium paid to the insurer for any period not covered by this policy will be returned upon request.

Policy not to be issued which contains contradictory provisions.

5. No such policy shall be so issued or delivered if it contains any provision contradictory, in whole or part, of any of the provisions hereinbefore in this act designated as "Standard Provisions" or as "Optional Standard Provisions;" nor shall any endorsements or attached papers vary, alter, extend, be used as a substitute for, or in any way conflict with any of the said "Standard Provisions" or the said "Optional Standard Provisions;" nor shall such policy be so issued or delivered if it contains any provision purporting to make any por-

tion of the charter, constitution or by-laws of the insurer a part of the policy unless such portion of the charter, constitution or by-laws shall be set forth in full in the policy, but this prohibition shall not be deemed to apply to any statement of rates or classification of risks filed with the Commissioner of Banking and Insurance in accordance with the provisions of this act.

False statements.

6. The falsity of any statement in the application for any policy covered by this act shall not bar the right to recovery thereunder unless such false statement was made with actual intent to deceive or unless it materially affected either the acceptance of the risk or the hazard assumed by the insurer.

Notice not to operate as waiver of rights.

7. The acknowledgment by any insurer of the receipt of notice given under any policy covered by this act, or the furnishing of forms for filing proofs of loss, or the acceptance of such proofs, or the investigation of any claim thereunder shall not operate as a waiver of any of the rights of the insurer in defense of any claim arising under such policy.

Alterations and erasures.

8. No alteration of any written application for insurance by erasure, insertion or otherwise, shall be made by any person other than the applicant without his written consent, and the making of any such alteration without the consent of the applicant shall be a misdemeanor. If such alteration shall be made by any officer of the insurer, or by any employee of the insurer with the insurer's knowledge or consent, then such act shall be deemed to have been performed by the insurer thereafter issuing the policy upon such altered application.

Policy issued in violation of act valid.

9. A policy issued in violation of this act shall be held valid, but shall be construed as provided in this act, and when any provision in such a policy is in conflict with any provision of this act the rights, duties and obligations of the insurer, the

policyholder and the beneficiary shall be governed by the provisions of this act.

Provisions to comply with law of State.

10. Policies of insurance against either or both accidental bodily injury or sickness issued by an insurer not organized under the laws of this State may contain, when issued in this State, any provision which the law of the State, Territory, or District of the United States under which the insurer is organized, prescribes for insertion in such policies, anything to the contrary in this act notwithstanding; *provided,* that the laws of such State, Territory or District do not prohibit the inserting in policies issued in such State, Territory or District by any company of this State any provision required to be inserted in such policies by the laws of this State. Policies of insurance against either or both accidental bodily injury or sickness issued by an insurer organized under the laws of this State may contain, when issued or delivered in any other State, Territory, District or Country, any provision required to be inserted in such policies by the laws of such State, Territory, District or Country, anything to the contrary in this act notwithstanding.

Proviso.

Rate discriminations prohibited.

11. Discrimination between individuals of the same class in the amount of premiums or rates charged for any policy of insurance covered by this act, or in the benefits payable thereon, or in any of the terms or conditions of such policy, or in any other manner whatsoever is prohibited.

Not to apply to workmen's compensation, etc.

12. (1) Nothing in this act, however, shall apply to or affect any policy of liability or workmen's compensation insurance or any general or blanket policy of insurance issued to any municipal corporation or department thereof, or to any corporation, copartnership, association or individual employer, police or fire department, underwriters' corps, salvage bureau, or like associations or organizations, where the officers, members or employees or classes or departments thereof are insured for their individual benefit against specified

accidental bodily injuries or sickness while exposed to the hazards of the occupation or otherwise in consideration of a premium intended to cover the risks of all the persons insured under such policy.

Not to apply to life, etc., insurance.

(2) Nothing in this act contained shall apply to life insurance, endowment or annuity contracts, nor to any such contract or contracts supplemental thereto containing or providing for additional benefits of any kind in the event of death by accidental means or of the total and permanent disability of the insured as defined by the contract.

Not to affect fraternal insurance.

(3) Nothing in this act shall apply to or in any way affect fraternal benefit societies.

Certain provisions not to apply to railroad ticket policies.

(4) The provisions of this act contained in clause (5) of section two, and clauses two, three, eight and twelve of section three may be omitted from railroad ticket policies sold only at railroad stations, or at railroad ticket offices by railroad employees.

Penalty.

13. Any company, corporation, association, society or other insurer or any officer or agent thereof, which or who issues or delivers to any person in this State any policy in willful violation of the provisions of this act shall be punished by a fine of not more than five hundred dollars ($500.00) for each offense, and the Commissioner of Banking and Insurance may revoke the license of any company, corporation, association, society or other insurer of another State or Country, or of the agent thereof, which or who willfully violates any provision of this act.

14. This act shall take effect immediately.

Approved June 7, 1937.

CHAPTER 182

AN ACT relative to taxes and assessments owing by any corporation in bankruptcy or under receivership proceedings in any municipality of this State, except municipalities in counties of the first class.

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

Municipalities authorized to adjust, etc., taxes of corporations in bankruptcy.

1. It shall be lawful for the governing body of any municipality of this State, excepting municipalities in counties of the first class, to make such abatement, revision, alteration, adjustment and settlement of taxes and assessments, both of principal, and of any or all interest and penalties thereon, as such governing body shall deem equitable and just, and to be for the best interest of such municipality; *provided,* such abatement, revision, alteration, adjustment and settlement shall be approved by the State Auditor; *and provided also, however,* that this act shall apply only to the abatement, revision, alteration, adjustment and settlement of taxes and assessments, both of principal and/or any interest and penalties thereon, as may now or hereafter be owing to such municipality from any corporation now under the jurisdiction of receivers or trustees appointed by any district court of the United States under its general equity power or by virtue of the bankruptcy laws of the United States of America or by the Court of Chancery of the State of New Jersey.

Proviso.

Proviso.

Application to fix rental.

2. Whenever any trustee in bankruptcy of any receiver for a corporation, appointed by a court of competent jurisdiction, shall proceed, under an order of such court, to operate, use or occupy all or any portion of the property of any such bankrupt corporation or of one under receivership pro-

ceedings, either the municipality or such receiver or trustee may apply to the court having jurisdiction of said bankruptcy or receivership proceedings to fix the rental value of any such property, so used or occupied, as a part of the expense of such operation in lieu of said trustee or receiver being liable or required to pay out of operating income or receipts the full amount of taxes or assessments laid or levied against the property of such corporation during such operation, use or occupancy. And if such rental value shall be so fixed by the court having jurisdiction over such receivership or bankruptcy proceedings, then and in such case, such municipality may receive the amount of said rental value from such receiver or trustee out of income coming into the hands of such trustee or receiver by reason of the operation, use or occupancy of such property, and shall then apply the same as a credit or credits on account of any taxes or assessments owing to it by any such corporation or on account of any taxes or assessments which may be adjusted or abated as herein provided.

Municipality to receive rents.

3. It shall be the duty of the collector of such municipality, upon receiving a certified statement of the amount which the governing body shall have agreed to accept in full satisfaction of such taxes and assessments, or either, to receive such sum so agreed to be accepted, in full satisfaction of such taxes and assessments, and to give a receipt for the amount paid in satisfaction thereof to the person paying the same; which receipt, accompanied by said statement, shall be sufficient evidence of the payment and satisfaction of such taxes and assessments, and upon presentation thereof, with the bill annexed, to the clerk of the county he shall satisfy the tax or assessment record if any there be in the office relating to unpaid taxes and assessments, or either or both of them, so far as relates to the payment of the said tax or assessment.

In full satisfaction of taxes.

Reduction to be void unless arrears paid in 90 days.

4. In case a reduction of any tax, taxes, assessment or assessments be made by the governing body upon any application presented to it under this act, such reduction shall be null and void unless the unpaid tax and assessment, or either, as reduced, be paid within ninety days thereafter, unless such governing body, for good cause shown, shall by resolution extend the time for such payment for a further period of not over thirty days.

Act inoperative.

5. This act shall be deemed a public act, and take effect immediately, and it shall be inoperative and of no effect after January second, one thousand nine hundred and thirty-eight.

Repealer.

6. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed; *provided, however,* that this act shall not be construed to amend or repeal any of the provisions of an act entitled "An act in relation to the abatement, revision, alteration, adjustment and settlement of past due taxes and other municipal liens and charges levied and assessed by any municipality in this State," approved March sixteenth, one thousand nine hundred and thirty-three.

Proviso.

7. This act shall take effect immediately.

Approved June 7, 1937.

CHAPTER 183

AN ACT to regulate the sale and delivery of liquid fuel, as herein defined; requiring the use of duly approved, tested and sealed measuring devices when deliveries of such liquid fuels are made; designating the officers who shall administer and enforce the provisions hereof, and defining their powers and duties; requiring delivery tickets and prescribing the form thereof, and providing penalties for the violation of the provisions hereof.

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

Definitions: Magistrate;

1. Definitions. (a) The word "magistrate" as used in this act shall be construed to mean and to include all justices of the peace, judges of the city criminal courts, police judges, recorders, mayor and other officers having powers of a committing magistrate.

Liquid fuels;

(b) The words "liquid fuels" as used in this act shall be deemed to mean and to include fuel in liquid form, which can or may be used for heating purposes and having an American Petroleum Institute gravity nominally greater than twenty-two (22); *however,* if the oil has a Saybolt Viscosity of more than fifty-five (55) seconds at 100° F., it shall not be included.

Weight and measures official:

(c) The words "weight and measures official" as used in this act shall be deemed to mean and to include any State, county or municipal superintendent, or assistant superintendent of weights and measures.

Measuring device to be approved.

2. From and after the taking effect of this act, it shall be illegal to use or to employ any measuring device for use in the purchase or sale of any

liquid fuel without the same first being approved as to type and construction by the State superintendent of weights and measures and calibrated, tested and sealed by any weights and measures official. The State superintendent of weights and measures shall provide a form of certificate to be issued by a weights and measures official after the approval, testing, calibration and sealing of any measuring device, which certificate shall expire one year from the date thereof following issuance thereof and shall be renewed annually. It shall be unlawful to sell or deliver or have in possession with intent to deliver any liquid fuel unless such certificate shall be in possession at all times or carried on the vehicle to which it applies.

Certificate of approval, etc.

Expiration.

Unlawful to sell without certificate.

3. All liquid fuel shall be sold by volume. The unit of volume shall be the standard United States gallon.

Sell by volume.

Unit.

4. If the volume be calculated by weight, the net weight shall be determined by means of a scale of approved type and capacity, tested and sealed by any weights and measures official. For the conversion of weight to volume and for temperature corrections, the National Standard Petroleum Oil Tables as approved by the United States Bureau of Standards shall be used.

Calculating volume by weight.

Conversion of weight to volume.

5. Each sale or delivery of liquid fuel exceeding fifty (50) gallons but not exceeding three thousand (3,000) gallons shall be measured by means of a positive displacement liquid flow meter which has been tested and sealed as to its adjusting and recording elements by any weights and measures official; *provided, however,* that this section shall not apply to liquid fuel sold in barrels or other containers upon which the quantity in terms of liquid measure is plainly and conspicuously marked.

Sales between 50 and 3,000 gallons.

Proviso.

6. Deliveries of quantities in excess of three thousand (3,000) gallons may be measured through a meter or from compartments which have been

Sales over 3,000 gallons.

calibrated and whose indicators have been sealed by any weights and measures official.

Delivery tickets.

7. A delivery ticket and duplicate thereof shall be prepared upon the completion of delivery of each sale or delivery of liquid fuel exceeding ten (10) gallons. On each ticket there shall be distinctly and indelibly expressed the date, the name and address of the seller, the name and address of the purchaser, the number of gallons sold or delivered, the grade of liquid fuel, and the signature of the person making such sale or delivery or his agent. One of such tickets shall be given to the purchaser and the other shall be retained by the seller for a period of one year, such retained tickets being subject to inspection by any weights and measures official. Delivery tickets shall be serially numbered. No duplicate or retained ticket shall be destroyed but may be voided and kept on file; *provided, however,* that the provisions of this section shall not apply to liquid fuel sold to be delivered by the entire railroad tank car or cargo direct from the vessels, boats, or railroad tank cars or bulk tank trucks or compartments thereof containing the same to one destination and consigned to one person, firm or corporation and accepted by the purchaser on the original bill of lading or invoice as proof of measurement or weight.

What ticket to show.

Duplicate ticket kept.

Proviso.

Approval of adjustment after testing.

8. It shall be unlawful after the approval, testing and sealing of any measuring device and equipment used in delivering liquid fuel, to adjust, repair or alter the same or to cause said measuring device and equipment to be adjusted, repaired or altered, unless approval of a weights and measures official is first obtained; and it shall be unlawful to remove any meter from the tank to which it is affixed at the time of testing and sealing to any other tank, unless immediate written notification is given to a weights and measures official advising of necessity of alterations or change.

Delivery to be made from tested device.

9. No person, firm or corporation shall deliver any liquid fuel without the same having been

measured by a measuring device approved, tested and sealed in accordance with the provisions of this act, nor shall any person, firm or corporation sell or deliver less than the quantity represented to be sold and delivered.

Rules and regulations.

10. The State superintendent of weights and measures shall make such rules and regulations governing the type of all measuring devices and equipment used in the delivery of liquid fuel, and the manner of approval, testing, or calibrating of the same, as he may deem necessary, in order to prevent the perpetration of fraud in the sale of liquid fuel.

Penalties.

11. Any person, firm or corporation violating any of the provisions of this act shall, upon conviction thereof, pay a penalty of not less than twenty-five dollars ($25.00) nor more than fifty dollars ($50.00), for the first offense, or for failure to forthwith pay such penalty shall be imprisoned in the county jail for a period not exceeding twenty (20) days; and for a second offense, shall, after conviction, pay a penalty of not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00), and for failure to forthwith pay such penalty shall be imprisoned in the county jail for a period not exceeding forty (40) days, and for a third or each subsequent offense, shall, after conviction, pay a penalty of not less than one hundred dollars ($100.00) nor more than two hundred dollars ($200.00), and for failure to forthwith pay such penalty shall be imprisoned in the county jail for a period not exceeding sixty (60) days. All penalties collected from persons violating the provisions of this act shall be paid by the magistrate receiving the same, when recovered by the State Superintendent of Weights and Measures, or his assistants, to the State Treasurer; when recovered by a county weights and measures officer, into the county treasurer of such county; and when recovered by a municipal weights and measures officer, into the treasury of the municipality which

Disposition of penalties.

such officer represents. It shall be the duty of the municipal attorney of any municipality wherein any violation takes place to assist in the prosecution of the same and to assist in the trial of any appeal, where a complaint is made by a municipal weights and measures official.

Issue summons upon complaint.

12. A complaint having been made by any weights and measures official in writing, and duly verified, that any person has violated any of the provisions of this act, which complaint may be made to any magistrate, as defined in this act, any such magistrate may issue either a summons or a warrant directed to any weights and measures official or to any constable or police officer for the appearance or arrest of the person so charged, and the complaint and process shall state what section or provision of this act has been violated by the defendant, and the time, place, and nature of said violation, and upon return of said summons or warrant, the magistrate or such person as shall sit for him, shall proceed to hear and determine, or may adjourn said hearing to a subsequent date, and upon the trial thereof shall proceed to hear and determine the innocence or guilt of such defendant, and upon conviction may impose the penalty by this act prescribed, together with the costs of prosecution for such offense.

Jurisdiction.

All acts, whether in connection with the taking of complaints, the issuing of process, the return thereof, the taking of bail for appearance, and all proceedings preliminary to trial, including the arraignment, taking of plea and postponement of trial, and all ministerial acts and proceedings subsequent to trial may be performed by the clerk or deputy clerk of any magistrate, police justice, police judge, police magistrate, recorder, mayor or other officer, and the jurisdiction so to do with respect to any violation of any provision of this act is hereby conferred.

Service of summons.

13. Service of summons upon a corporation shall be made by serving the said summons upon any

officer of said corporation or upon its registered agent, or upon the person in charge of its place of business in this State, and at least five days before the time of appearance mentioned therein; if a corporation shall fail to enter an appearance in response to such summons the magistrate shall nevertheless hear the evidence offered in support of the complaint and shall enter judgment thereon.

Adjourning hearing.

14. Any hearing to be held pursuant to this act, shall, on the request of either party, or in the discretion of the magistrate, be adjourned; but in such case it shall be the duty of the magistrate to detain the defendant in safe custody, unless he shall make a cash deposit or enter into a bond to the State of New Jersey, with at least one sufficient surety, unless said defendant shall himself qualify and justify in real estate security situate in this State in twice the amount fixed by said magistrate for the bond with a surety, to or in an amount not exceeding four hundred dollars ($400.00), conditioned for his appearance on the day to which the hearing may be adjourned, or until the case is disposed of.

Defendant detained.

Bond.

Appeal.

15. The defendant in any proceeding instituted under this act may appeal from the judgment or sentence of the magistrate to the court of common pleas of the county in which such proceeding shall have taken place; *provided,* the said defendant shall, within ten days after the date of said judgment, deliver to the magistrate a bond to the State of New Jersey with at least one sufficient surety, or make a cash deposit with him of such amount as the magistrate shall direct not exceeding the amount of four hundred dollars ($400.00) conditioned to stand to and abide by such further order or judgment as may thereafter be made against him; *and provided, further,* that if the said magistrate shall impose a sentence of imprisonment, the defendant, if he does not duly appeal, shall be imprisoned forthwith upon the imposing of said sentence; but that an appeal, properly taken in

Proviso.

Proviso

accordance with the provisions of this act, shall be a stay of sentence of imprisonment, whether the execution of such sentence shall have been entered upon or not, as well as of other such judgment as may be pronounced.

Service of notice of appeal.

The said defendant shall serve upon the prosecutor of the pleas of the county wherein the offense was committed, and upon the magistrate imposing such sentence or the clerk or deputy clerk of such magistrate, a written notice of appeal within ten days from the rendering of judgment and in cases where the complaint is made, by the State Superintendent of Weights and Measures or his assistant, the aforementioned notice of appearance must within the same period of time be served upon the Attorney-General of the State, either personally or by registered mail instead of the prosecutor of the pleas; the recognizance so taken under this section shall by the magistrate or clerk be duly recorded in the office of the clerk of the county, or the cash deposited be turned over to the said clerk of the county by the magistrate or his clerk, and the magistrate shall promptly notify the prosecutor or the Attorney-General, as the case may be, of the service of the said notice of appeal made upon said magistrate; *and provided, further,* that if said defendant shall, after the rendition of said judgment or sentence, announce to said magistrate, his intention to appeal therefrom and either give the bond, or make the deposit, 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 said defendant shall fail to complete his appeal within said ten days, the like proceeding may be had as would by the provisions of this act follow an appeal taken and a judgment of affirmance thereupon.

Proviso.

16. Whenever an appeal shall be taken as aforesaid, it shall be the duty of the magistrate within ten days after defendant has completed his appeal to send all papers and all moneys, if any, deposited according with the provisions of this act, and all money paid for the cost of prosecution, together with a transcript of the proceedings in the case of the court of common pleas 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 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 in cases where the complaint is made by the State Superintendent of Weights and Measures or his assistant, the aforementioned notice must, within the same period of time, be served upon the Attorney-General of the State, either personally, or by registered mail; 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; *provided,* that in cases where the complaint is made by the State Superintendent of Weights and Measures or his assistant, it shall be the duty of the Attorney-General to represent the complainant at the trial or appeal; the prosecutor of the pleas of any county, charged with the enforcement of the provisions of this section, may request the Attorney-General to attend personally, or by such assistant or assistants, as he shall designate to aid in the prosecution of the said appeal, and should the defendant fail to give the required notice of trial on appeal to the person, and within the time as hereinbefore provided, then the like proceeding may be had as would by the provisions of this act follow an appeal taken and a judgment

Transmittal of records.

Proviso.

Assistance in prosecution.

Trial.

of affirmance thereupon. The court of common pleas, on appeal shall, de novo, and in a summary manner try and determine all such appeals, and in case the defendant is convicted on such appeal, the court of common pleas shall impose the penalty prescribed by this act, and in case the defendant is acquitted upon such an appeal, the court of common pleas shall order the return of all moneys deposited as aforesaid, and all costs of prosecution paid by the said defendant, to the said defendant. It shall be lawful for the court of common pleas in any appeal brought before it at all times to amend all defects and errors for the purpose of determining on the trial of any appeal the merits of the said case.

Entitling proceedings.

17. All proceedings for the violation of the provisions of this act shall be entitled and shall run in the name of the State of New Jersey with the weights and measures official as shall by complaint institute the proceedings as prosecutor.

Arrest without warrant.

18. Any constable or police officer, or weights and measures official is hereby authorized to arrest, without warrant, any person violating, in the presence of such constable, or police officer, or weights and measures official any of the provisions of this act, and to bring the defendant before any magistrate of the county where such offense is committed. The person so offending shall be detained until the officer making such arrest shall make oath or affirmation, which he shall do declaring that the person under arrest has violated one or more of the provisions of this act, and specifying the provision or provisions violated, whereupon said magistrate, shall issue a warrant, and the said magistrate shall proceed to hear or postpone the case.

Complaint deemed verified if made under oath.

19. In any prosecution instituted under this act, the complaint filed therein, will be considered duly verified if made under the oath or affirmation of any such weights and measures official, which said oath or affirmation may be made upon information and belief.

Summons, etc., valid throughout the State.

20. A summons or warrant issued by any magistrate in accordance with the provisions of this act shall be valid throughout the State, and any officer who has power to serve the said summons, or to serve said warrant and make arrest thereon, in the county where the same shall have been issued, shall have like power to serve said summons and to serve said warrant and make arrest thereon in any of the several counties of the State. If any person shall be arrested for a violation committed in the county other than that in which the arrest shall take place, the person so arrested may demand to be taken before a magistrate of the county in which the arrest may have been made for the purpose of making a cash deposit or of entering into a recognizance with sufficient surety; whereupon the officer serving the said warrant shall take the person so apprehended before a magistrate of the county in which the arrest shall have been made, who shall thereupon fix a day for the matter to be heard before the magistrate issuing the said warrant, and shall take from the person apprehended a cash deposit or recognizance to the State of New Jersey with sufficient surety or sureties for the appearance of the said person at the time and place designated in accordance with the provisions of section fifteen of this act. The cash deposit or recognizance so taken shall be returned to the magistrate issuing the warrant, to be retained and disposed of by him as by this act provided.

Appearance before magistrate.

Cash deposit or recognizance for appearance.

Warrant of commitment.

21. In case any defendant is to be committed to jail, the conviction shall be signed by the magistrate of the county, recorder or police magistrate of any municipality in duplicate and one of the duplicate copies shall serve the purpose of a warrant of commitment.

Act effective.

22. This act shall become effective September first, one thousand nine hundred and thirty-seven.

Approved June 7, 1937.

CHAPTER 184

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

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

Validating sale of land under court order.

1. No sale of any lands, tenements, hereditaments or real estate heretofore made by virtue of any decree or order or judgment of any court of this State, or any execution or other process issued thereon, shall be invalidated or impaired by reason of having failed to have designated any married man as a party to any foreclosure of mortgage or tax lien or other proceedings as required by chapter forty of the laws of one thousand nine hundred and fifteen; *provided, however,* that a subpœna or subpœnas or other process shall have been issued and duly served; and it having been stated in the bill of complaint that the name of said husband was fictitious and unknown and that he was the husband of said defendant wife, the then purchaser or foreclosures of such lands, tenements, hereditaments or real estate who has or have paid or who shall pay the price therefor and who has or have received or shall receive his, her or their deed or deeds therefor and his, her or their heirs, successors and assigns shall be deemed to have as good and complete title therefor as if the said married man had been designated in said bill of complaint as "Mr. ..... husband of ....." and as if an affidavit reciting the efforts of complainant to ascertain the said husband's christian name had been annexed to the bill of complaint and filed therewith.

Proviso.

Validity of title.

2. This act shall take effect immediately.

Approved June 7, 1937.

CHAPTER 185

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

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

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

Section 7 amended.

EQUIPMENT

7. (1) Equipment section; powers of commissioner. The Commissioner of Motor Vehicles is hereby given authority to pass upon the construction and equipment of any vehicle, motor vehicle or motor-drawn vehicle with a view to its safety for use on a street or highway and it shall be lawful for the commissioner to refuse registration to any vehicle that in his estimation is not a proper vehicle to be used upon a highway. The commissioner is hereby authorized to promulgate regulations, not inconsistent with this act, concerning the construction and equipment of any vehicle, motor vehicle or motor-drawn vehicle. The commissioner may require the approval of any equipment or device and may set up the procedure which shall be followed when any equipment or device is submitted for approval. The commissioner may revoke or suspend for cause and after hearing any

Commissioner empowered to pass upon equipment, etc.

Make regulations concerning construction, etc.

Approval of equipment.

Revoke certificate of approval.

certificate of approval that may be issued under this section. The commissioner at his discretion is hereby authorized to disapprove any equipment or device.

Scope and effect of regulations.

(2) Scope and effect. No person shall hereafter drive, move, park or be in custody of nor shall any owner or lessee hereafter cause or knowingly permit to be driven, moved or parked on any highway any vehicle, motor vehicle or motor-drawn vehicle or combination of vehicles which is in such unsafe condition as to endanger or be likely to endanger any person or property, or which does not contain those parts or is not at all times equipped with such equipment in proper condition and adjustment as required in this section, or which is equipped in any manner in violation of this section. No person shall do any act forbidden or fail to perform any act required under this section.

Vehicles excepted.

(3) Certain vehicles excepted. The subsequent provisions of this section with respect to equipment and lights on vehicles shall not apply to agricultural machinery and implements, road machinery, road rollers, traction engines or farm tractors except as hereinafter made applicable.

Terms defined:

(4) Words and phrases defined. As used in this section, unless the context requires another or different construction:

Approved;

"Approved" means approved by the commissioner of motor vehicles and when applied to lamps and other illuminating devices means that such lamps and devices must be in good working order and capable of operating at least fifty per centum (50%) of their designed efficiency.

Vehicle;

"Vehicle" means every device in, upon or by which a person or property is or may be transported upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

When lighted lamps are required;

"When lighted lamps are required" means at any time from a half-hour after sunset to a half hour before sunrise and at any other time when

there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred feet ahead.

Headlamp; "Headlamp" means a major lighting device capable of providing general illumination ahead of a vehicle.

Auxiliary driving lamp; "Auxiliary driving lamp" means an additional lighting device on a motor vehicle used primarily to supplement the headlamps in providing general illumination ahead of a vehicle.

Single beam headlamps; "Single beam headlamps" mean headlamps or similar devices arranged so as to permit the driver of the vehicle to use but one distribution of light on the road.

Multiple-beam headlamps; "Multiple-beam headlamps" mean headlamps or similar devices arranged so as to permit the driver of the vehicle to use one of two or more distributions of light on the road.

Asymmetric headlamps; "Asymmetric headlamps" mean headlamps or similar devices arranged so as to permit the driver of the vehicle to use one of several distributions of light on the road, at least one of which is asymmetric about the median vertical axis.

Clear road beam; "Clear road beam" means the beam from multiple-beam headlamps designed to be used when not approaching other vehicles and designed to provide sufficient candlepower ahead to reveal obstacles at a safe distance ahead under ordinary conditions of road contour and of vehicle loading.

Meeting beam; "Meeting beam" means the beam from multiple beam or asymmetric headlamps designed to be used when other vehicles are approaching within five hundred feet or when signalled and designed so that the illumination on the left side of the road is reduced sufficiently to avoid dangerous glare for the approaching driver.

Lower beam; "Lower beam" means the beam from multiple beam or asymmetric headlamps designed to be directed low enough to avoid dangerous glare on both sides of the roadway.

Reflector.

"Reflector" means an approved device designed and used to give an indication by reflected light.

Certain acts forbidden.

(5) Certain acts forbidden. No person shall drive, move, park or be in custody of any vehicle or combination of vehicles on any street or highway unless such vehicle or combination of vehicles is equipped with lamps and illuminating devices as hereinafter respectively required for different classes of vehicles. No person shall drive, move, park or be in custody of any vehicle or combination of vehicles on any street or highway during the times when lighted lamps are required unless such vehicle or combination of vehicles displays lighted lamps and illuminating devices as hereinafter required.

Lights used to be approved.

No person shall use on any vehicle any approved electric lamp or similar device unless the light source of such lamp or device complies with the conditions of approval as to focus and rated candlepower.

Not to alter equipment.

No person shall alter the equipment or performance of equipment of any vehicle which has been approved at an official inspection station designated by the commissioner with intent to defeat the purpose of such inspection, and no person shall drive or use any vehicle with equipment so altered.

Effectiveness of lamps.

(6) Visibility. Whenever requirement is hereinafter declared as to the distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, said provisions shall apply during the times when lighted lamps are required upon a straight level unlighted highway under normal atmospheric conditions unless a different time or condition is expressly stated.

Headlamp regulations.

(7) Headlamps. Except as hereinafter provided, every motor vehicle other than a motor-drawn vehicle and other than a motor cycle shall be equipped with at least two approved headlamps mounted at the same level with at least one on each side of the front of the vehicle. Every motor cycle

shall be equipped with at least one and not more than two approved headlamps. Every motor cycle equipped with a side car or other attachment shall be equipped with a lamp on the outside limit of such attachment capable of displaying a white light to the front. Motor cycles.

Color of headlamps. Headlamps, auxiliary driving lamps, cowl lamps and spot lamps, when lighted, shall exhibit lights substantially white, yellow or amber in color. No person shall drive or move any vehicle or equipment, except an emergency vehicle authorized by the commissioner, upon any street or highway with any lamp or device thereon displaying a red light visible from directly in front thereof. Color of headlamps.

Auxiliary driving lamps. Any motor vehicle may be equipped with not to exceed two auxiliary driving lamps mounted on the front at a height not less than twelve inches nor more than forty-two inches above the level surface upon which the vehicle stands, and every such auxiliary driving lamp or lamps shall be so aimed and used that no part of the high-intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle nor more than one hundred feet ahead of the vehicle. Auxiliary driving lamps.

Additional lighting equipment. Any motor vehicle may be equipped with not more than two side cowl or fender lamps which shall emit a white or yellow light without glare. Any motor vehicle may be equipped with not more than one running board courtesy lamp on each side thereof which shall emit a white or yellow light without glare. Any motor vehicle may be equipped with a back-up lamp either separately or in combination with another lamp; except that no such back-up lamp shall be continuously lighted when the motor vehicle is in forward motion. Additional lighting equipment.

Spot lamps. Any motor vehicle may be equipped with not to exceed one spot lamp but the use of any such spot lamp for driving purposes is pro- Spot lamps

hibited and every lighted spot lamp shall be so aimed and used so as not to be dazzling or glaring to any person.

Restrictions on lamps.

Special restrictions on lamps. Any lighted lamp or illuminating device upon a motor vehicle other than headlamps, spot lamps or auxiliary driving lamps which projects a beam of light of an intensity greater than three hundred candlepower shall be so directed that no part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five feet from the vehicle. Flashing lights are prohibited on motor vehicles, motor cycles and motor-drawn vehicles except as a means for indicating a right or left turn.

Alternate road lighting equipment.

Alternate road lighting equipment. Any motor vehicle need not be equipped with approved headlamps provided that every such vehicle during the times when lighted lamps are required is equipped with two lighted lamps on the front thereof displaying white or yellow lights without glare capable of revealing persons and objects seventy-five feet ahead; *provided, however,* that no such motor vehicle shall be operated at a speed in excess of twenty miles per hour during the times when lighted lamps are required.

Proviso, limiting speed.

Driving lamps required or permitted.

Number of driving lamps required or permitted. At the times when lighted lamps are required, at least two lighted lamps shall be displayed, one on each side of the front of every motor vehicle except a motor cycle and except a motor-drawn vehicle except when such vehicle is parked subject to the provisions governing lights on parked vehicles. Whenever a motor vehicle equipped with headlamps as herein required is also equipped with any auxiliary lamps or a spot lamp or any other lamp on the front thereof projecting a beam of an intensity greater than three hundred candlepower, not more than a total of four of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway.

(8) Single-beam road lighting. Approved single-beam headlamps shall be so aimed that when the vehicle is not loaded none of the high-intensity portion of the light shall at a distance of twenty-five feet ahead project higher than a level of five inches below the level of the center of the lamp from which it comes, and in no case higher than forty-two inches above the level on which the vehicle stands at a distance of seventy-five feet ahead. The intensity shall be sufficient to reveal persons and vehicles at a distance of at least two hundred feet. Single-beam road lighting.

(9) Multiple-beam road lighting. Approved multiple-beam headlamps shall be so arranged that the driver may select at will between different distributions of light subject to the following requirements and limitations: Multiple-beam road lighting:

There shall be an uppermost distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least three hundred and fifty feet ahead for all conditions of loading. The maximum intensity of this uppermost distribution of light or composite beam one degree of arc or more above the horizontal level of the lamps when the vehicle is not loaded shall not exceed eight thousand apparent candlepower, and at no other point of the distribution of light or composite beam shall there be an intensity of more than seventy-five thousand apparent candlepower. Uppermost distribution of light; Maximum intensity;

There shall be a lowermost distribution of light, or composite beam, so aimed that when the vehicle is not loaded, none of the high-intensity portion of the light which is directed to the left of the prolongation of the extreme left side of the vehicle shall, at a distance of twenty-five feet ahead, project higher than a level of ten inches below the level of the center of the lamp from which it comes. When the vehicle is not loaded, none of the high-intensity portion of the light which is directed to the right of the prolongation of the extreme left side of the vehicle shall, at a distance of twenty-five Lowermost distribution of light.

feet ahead, project higher than a level of five inches below the level of the center of the lamp from which it comes. In no event shall any of the high-intensity of such lowermost distribution of light or composite beam project higher than a level of forty-two inches above the level on which the vehicle stands at a distance of seventy-five feet ahead.

Use of intermediate beam.

Where an intermediate beam is provided and used, when the vehicle is not loaded none of the high-intensity portion of the light which is directed to the left of the prolongation of the extreme left side of the vehicle shall, at a distance of twenty-five feet ahead, project higher than a level of ten inches below the level of the center of the lamp from which it comes.

Minimum intensity.

All road lighting beams shall be so aimed and of sufficient intensity to reveal a person or vehicle at a distance of at least one hundred feet ahead.

Beam indicator lights.

(10) Beam indicator lights. All multiple-beam road lighting equipment manufactured, installed and used on and after January first, one thousand nine hundred and thirty-nine shall be so arranged that two beam indicator lights shall be lighted whenever the uppermost distribution of light from the headlamps is being used. Such beam indicator lights shall be white or yellow in color, one on each side of the vehicle, and visible to an oncoming driver and to the driver of the vehicle on which they are mounted; except that other suitable means may be provided to indicate to the user that an uppermost distribution of light is being used. Beam indicator lights shall not be used other than provided above and fender lamps or other lamps shall not be used so as to be likely to be confused with beam indicator lights.

Color.

Use of multiple-beam road lighting equipment.

(11) Use of multiple-beam road lighting equipment. Every person driving a motor vehicle equipped with multiple-beam road lighting equipment, during the times when lighted lamps are required, shall use a distribution of light, or com-

posite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations: whenever the driver of a vehicle approaches an oncoming vehicle within five hundred feet, such driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the oncoming driver, and in no case shall the high-intensity portion which is projected to the left of the prolongation of the extreme left side of the vehicle be aimed higher than the center of the lamp from which it comes at a distance of twenty-five feet ahead, and in no case higher than a level of forty-two inches above the level upon which the vehicle stands at a distance of seventy-five feet ahead.

Rear lamps and reflectors.

(12) Rear lamps and reflectors. Every motor vehicle and every motor-drawn vehicle shall be equipped with at least one rear lamp, not less than fifteen inches or more than forty-eight inches above the ground upon which the vehicle stands, which when lighted will exhibit a red light plainly visible from a distance of five hundred feet to the rear; *provided, however,* that such rear lamp may be mounted higher than forty-eight inches on any vehicle carrying inflammable liquids as a cargo.

Proviso.

To illuminate marker.

Either such rear lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration marker and render it clearly legible from a distance of fifty feet to the rear. When the rear registration marker is illuminated by an electric lamp other than the required rear lamp, said two lamps shall be turned on or off only by the same control switch at all times.

Reflectors required in addition to rear lamp.

Every passenger car and motor cycle hereafter manufactured when operated on a highway shall also carry at the rear, either as a part of the rear lamp or separately, at least one approved red reflector. Every commercial motor vehicle, motor-

drawn vehicle and omnibus with a capacity of more than six passengers hereafter operated on a highway shall also carry at the rear at least two approved red reflectors; at least one at each side. Every such reflector shall meet the requirements of this section and shall be mounted upon the vehicle at a height not to exceed sixty inches nor less than twenty-four inches above the ground upon which the vehicle stands. Every such reflector shall be so designed, mounted on the vehicle and maintained as to be visible during the times when lighted lamps are required from all distances within five hundred to fifty feet from such vehicle when directly in front of a motor vehicle displaying lawfully lighted approved headlamps.

Requirements and regulations.

Parking lamps required.

(13) Lamps on parked vehicles. Whenever a vehicle is parked or stopped upon a highway or shoulder adjacent thereto, whether attended or unattended during the times when lighted lamps are required, such vehicle shall be equipped with one or more lamps which shall exhibit a white light on the traffic side visible from a distance of five hundred feet to the front of such vehicle and a red light visible from a distance of five hundred feet to the rear. Any lighted headlamps upon a parked vehicle shall be depressed or dimmed.

Clearance and side-marker lamps and reflectors.

(14) Clearance and side-marker lamps and reflectors. The commissioner is hereby authorized to promulgate regulations in his discretion concerning clearance and side-marker lamps and reflectors for certain classes of vehicles.

Emergency warning light equipment.

(15) Emergency warning light equipment. During the times when lighted lamps are required, no person shall drive on any highway, 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 or other devices each capable of continuously producing a warning light 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. Every such flare, lantern or other device shall be of a type approved by the commissioner. Type of flare.

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 to be lighted and 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. 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. Warning light placed.

(16) Lamps on other vehicles and equipment. All vehicles, including animal-drawn vehicles and including agricultural machinery or implements, road machinery, road rollers, traction engines and farm tractors not hereinbefore specifically re- Lamps on other vehicles and equipment

quired to be equipped with lamps, shall be equipped during the times when lighted lamps are required with at least one lighted lamp or lantern exhibiting a white light visible from a distance of five hundred feet to the front of such vehicle and with a lamp or lantern exhibiting a red light visible from a distance of five hundred feet to the rear, and such lamps and lanterns shall exhibit lights to the sides of such vehicle.

Maintenance.

(17) Maintenance. All lamps, reflectors and other illuminating devices required by this section shall be kept clean and in good working order and, as far as practicable, shall be mounted in such a manner as to reduce the likelihood of their being obscured by mud or dust thrown up by the wheels.

Brakes on motor cycles.

(18) Brake equipment required. Every motor cycle when operated upon a highway shall be equipped with at least one brake adequate to control the movement of and to stop such vehicle.

Brakes on motor vehicles.

Every motor vehicle, except a motor cycle and except a motor-drawn vehicle, shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle, including two

Two sets of controls.

separate means of applying the brakes. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the vehicle without brakes adequate to stop and to hold such vehicle.

Set brakes.

One of these means of applying the brakes shall be so constructed that it can be set to hold the vehicle, or any combination of which it forms a part, stationary on any up or down grade upon which it is operated, whether the vehicle or combination is empty or loaded.

Brakes on combination of vehicles.

Every combination of motor vehicles shall be equipped with brakes upon one or more of such motor vehicles, adequate to stop and to hold such combination of motor vehicles. Every motor vehicle, except a motor cycle, manufactured on or after July first, nineteen hundred and thirty-eight

when used on a highway shall be equipped with brakes on all wheels, except any trailer or semitrailer of a gross weight not exceeding three thousand pounds; *provided, however,* that the gross weight of any such trailer without brakes shall not exceed forty per centum (40%) of the gross weight of the towing vehicle, and that the gross weight of any such semitrailer without brakes shall not exceed forty per centum (40%) of the gross weight of the towing vehicle when the vehicles are connected. All brakes on a combination of vehicles shall be controlled by the driver thereof.

Proviso.

Every trailer and semitrailer, required to be equipped with brakes, shall be equipped with brakes of such a character as to be automatically applied upon break-away from the towing vehicle, and means shall be provided to stop and hold such vehicle for an adequate period of time.

Brakes on trailers and semitrailers.

In any combination of motor vehicles, means shall be provided for applying the trailer or semitrailer brakes, of any trailer or semitrailer equipped with brakes, in approximate synchronism with the brakes on the towing vehicle and developing the required braking effort on the wheels of the rearmost vehicle at the fastest rate; or means shall be provided for applying braking effort first on the rearmost vehicle equipped with brakes; or both of the above means capable of being used alternatively may be employed.

Applying brakes on trailer.

No person shall drive, move, park or be in custody of on any highway any motor vehicle not equipped as herein required.

Equipment required when vehicle in use.

(19) Brake performance. Every motor vehicle or combination of motor vehicles, according to its type, shall be capable at all times and under all conditions of loading, of stopping on a dry, smooth, level pavement of approximately .6 coefficient of friction and free from loose material, upon application of the service (foot) brake, within the distances specified below, or shall be capable of

Brake performance.

decelerating at a sustained rate corresponding to these distances:

	Feet to stop from twenty miles per hour	Approximate deceleration in feet per second per second
Vehicles or combinations of vehicles having brakes on all wheels	30	14
Vehicles or combinations of vehicles not having brakes on all wheels	45	9.5

Determining decelerating capacity.

The stopping ability, or decelerating capacity, of a motor vehicle or combination of motor vehicles shall be determined by an approved instrument or an approved machine capable of being read in feet to stop from a speed of twenty miles per hour, deceleration in feet per second per second or other equivalent units.

Brakes on other machinery.

Agricultural machinery and implements, road machinery, road rollers, traction engines and farm tractors when used upon any highway shall have means adequate to control the movement of and to stop and to hold such machines on any up or down grade upon which they may be operated.

Brakes required when vehicle in use.

No person shall hereafter drive, move or be in custody of any motor vehicle or combination of motor vehicles unless such vehicle or combination is capable of being controlled, stopped and held as provided for herein.

Warning devices.

(20) Horns and audible warning devices. Every motor vehicle except a motor-drawn vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred feet, but no

horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle. The driver of a motor vehicle shall, when reasonably necessary to insure safe operation, give audible warning with his horn but shall not otherwise use such horn when upon a highway. Sounding warning.

No vehicle shall be equipped with nor shall any person use upon a vehicle any siren, whistle or bell except as otherwise permitted in this subdivision. Siren, whistle and bell prohibited.

It is permissible but not required that any commercial vehicle be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as an ordinary warning signal. Theft alarm.

Any emergency vehicle authorized by the commissioner may be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of not less than five hundred feet and of a type approved by the commissioner, but such siren, whistle or bell shall not be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which said latter events the driver of such vehicle shall sound said siren, whistle or bell when necessary to warn pedestrians and other drivers of the approach thereof. Warning on emergency vehicles.

No person shall install or use on the exhaust system of any motor vehicle any device which emits an audible sound unless authorized to do so by the commissioner. Not to use exhaust warning.

No bicycle shall be equipped with nor shall any person use upon a bicycle any siren or whistle. No siren or whistle on bicycle.

The commissioner is hereby authorized in his discretion to promulgate standards concerning the audibility of audible warning devices. To establish standards.

(21) Mufflers. Every motor vehicle having a combustion motor shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cut-out, by-pass or similar device upon a motor vehicle on a highway. Mufflers.

Mirrors.

(22) Mirrors. Every motor vehicle which is so constructed or loaded as to obstruct the driver's view to the rear thereof from the driver's position shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least two hundred feet to the rear of such vehicle and no person shall drive any such vehicle not so equipped.

Fire equipment.

(23) Tire equipment. No person shall drive or move any motor vehicle equipped with solid rubber tires unless every such tire shall have rubber on its entire traction surface at least one inch thick above the edge of the flange of the entire periphery.

Not to use faulty tires.

No person shall drive or move any motor vehicle equipped with any tire in such condition as to endanger or be likely to endanger any person or property.

Tire-chains.

(24) Tire-chains. Motor vehicle tires may be fitted with tire-chains of reasonable proportions when roads, streets and highways are slippery, because of rain, snow, ice, oil, manner of construction or other reason; *provided, however,* that no tire-chains shall be used at any time on improved highways when highway conditions do not make such use necessary for the safety of life or property. No person shall use any tire-chains so constructed or installed as to be likely to be thrown so as to endanger any person or property.

Proviso.

Windshields unobstructed.

Cleaners.

(25) Windshields must be unobstructed and equipped with cleaners. Every motor vehicle having a windshield shall be equipped with at least one device in good working order for cleaning rain, snow or other moisture from the windshield so as to provide clear vision for the driver, and all such devices shall be so constructed and installed as to be operated or controlled by the driver.

Stickers, etc., prohibited on windshield, etc.

No person shall drive any motor vehicle with any sign, poster, sticker or other non-transparent material upon the front windshield, wings, deflectors, side shields, corner lights adjoining windshield or front side windows of such vehicle other

than a certificate or other article required to be so displayed by statute or by regulations of the Commissioner of Motor Vehicles.

Construction not to obstruct vision.

No person shall drive any vehicle so constructed, equipped or loaded as to unduly interfere with the driver's vision to the front and to the sides.

Safety glass defined.

(26) Safety glass. The term "safety glass" shall be construed as meaning glass so treated or combined with other materials as to reduce, in comparison with ordinary sheet glass or plate glass, the likelihood of injury to persons by objects from exterior sources or by glass when the glass is cracked or broken. The term "approved safety glass" shall be construed as meaning safety glass of a type approved by the Commissioner of Motor Vehicles.

Approved safety glass.

Safety glass required.

No person shall drive any motor vehicle manufactured on or after July first, nineteen hundred and thirty-five and registered in this State unless such vehicle is equipped with approved safety glass wherever glass is used in doors, windows and windshields. The term "windshield" shall be construed to include wings, deflectors and side shields; also front corner lights adjoining windshields.

Windshield defined.

Glass specifications.

Windshields must be glazed with an approved type of safety plate glass. Doors and windows must be glazed with an approved type of either safety plate or safety sheet glass.

Each section to be marked.

Every section of safety glass shall be legibly and permanently marked with the manufacturers' distinctive designation under which the glass was approved so as to be visible when installed.

May revoke license for use of defective glass.

No person shall drive any motor vehicle equipped with safety glass which causes undue or unsafe distortion of visibility or equipped with unduly fractured, discolored or deteriorated safety glass, and the commissioner may revoke the registration of any such vehicle.

Exhaust gases.

(27) Dangerous exhaust gases. Every motor vehicle shall be equipped and maintained so that exhaust gases cannot injure any person or animal,

and no person shall use any motor vehicle so as to cause or be likely to cause any such injury.

Not to sell or use unapproved devices or equipment.

(28) Selling or using unapproved devices or equipment. No person shall have for sale, sell or offer for sale for use upon or as a part of the equipment of a motor vehicle any unapproved device or equipment of a type which is required to be approved by the commissioner.

Not to change design or performance of equipment.

No person shall have for sale, sell, offer for sale or use any device, part or accessory which changes or is intended to change the design or designed performance of any device or equipment required to be approved.

Equipment to show mark under which approved.

No person shall have for sale, sell or offer for sale for use upon or as part of the equipment of any motor vehicle or motor-drawn vehicle any device or equipment of a type required to be approved unless such device or equipment bears thereon the trade-mark or name under which it is approved so as to be plainly visible when installed.

Construing.

2. Nothing herein contained shall be construed to amend, repeal or in any manner impair the operation or effect of chapter one hundred thirty-three of the laws of New Jersey of one thousand nine hundred and thirty-six, entitled "An act for the licensing of motor vehicles for the transportation of passengers for hire and prescribing rules and regulations for such licenses.

Act effective.

3. This act shall take effect September first, one thousand nine hundred and thirty-seven.

Approved June 8, 1937.

JOINT RESOLUTIONS

Joint Resolutions

JOINT RESOLUTION No. 1

A JOINT RESOLUTION providing for the celebration of the one hundred and fiftieth anniversary of the adoption of the Constitution of the United States of America; designating the period between September seventeenth, one thousand nine hundred and thirty-seven, and December eighteenth, one thousand nine hundred and thirty-seven, both dates inclusive, as the period within which such celebration shall be held in the State of New Jersey.

Preamble

WHEREAS, By the provisions of Joint Resolution No. 2 of the legislative session of one thousand nine hundred and thirty-five, approved March eighth, one thousand nine hundred and thirty-five, there was created a commission to be known as the New Jersey United States Constitution Day Commission, which commission has formally organized and has made plans and preparations for the celebration of the event aforesaid; now, therefore,

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

Celebration of 150th anniversary of the adoption of the Constitution.

1. That the New Jersey United States Constitution Day Commission do provide for the formal celebration of the one hundred and fiftieth anniversary of the adoption of the Constitution of the United States of America, between the period of September seventeenth, one thousand nine hundred and thirty-seven, and December eighteenth, one thousand nine hundred and thirty-seven, both dates

inclusive, all in accordance with the provisions of the said Joint Resolution No. 2 of the legislative session of one thousand nine hundred and thirty-five above referred to.

2. This joint resolution shall take effect immediately.

Approved May 29, 1937.

JOINT RESOLUTION No. 2

A JOINT RESOLUTION for the appointment of a commission consisting of four members of the Senate, six members of the House of Assembly, and four citizens of this State to be appointed by the Governor, who shall constitute a joint commission to commemorate the three hundredth anniversary of the settlement of the Swedes on the soil of New Jersey in the counties of Salem, Gloucester, Cumberland and Camden.

Preamble. WHEREAS, the year nineteen hundred and thirty-eight marks the three hundredth anniversary of the settlement of the Swedes on the soil of New Jersey, such settlement being made on territory now comprising the counties of Gloucester, Salem, Cumberland and Camden; and

Preamble. WHEREAS, this settlement was the beginning of a permanent government for the earliest inhabitants of this section of New Jersey, as well as the State of Delaware and the Commonwealth of Pennsylvania; and

Preamble WHEREAS, the Government of the United States, the government of Sweden, the State of Delaware and the Commonwealth of Pennsylvania are

planning an interstate and international celebration, to be held at Wilmington, Delaware, commemorating the arrival of the Swedish colonists in the Valley of the Delaware; and

Preamble.

WHEREAS, it is fitting and appropriate that New Jersey participate in this interstate celebration, as well as fittingly commemorate the founding of the New Jersey settlement; therefore,

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

Commission to arrange celebration of the settlement of Swedes in Delaware valley.

1. There is hereby appointed a commission consisting of four members of the Senate, who shall be the Senators from the respective counties of Salem, Cumberland, Gloucester and Camden, and six members of the House of Assembly who shall be the Assemblymen from the respective counties of Salem, Cumberland, Gloucester and Camden, and four citizens of the State to be named by the Governor, who shall constitute a joint commission, and shall be authorized and empowered to arrange an appropriate celebration in commemoration of the three hundredth anniversary of the settlement of the Swedes in the Valley of the Delaware.

Commission authorized to participate.

2. The commission is authorized on behalf of the State of New Jersey to participate in the interstate and international celebration to be held in the city of Wilmington, and further shall arrange for exercises commemorative of the founding of the settlements in the present counties of Gloucester, Salem, Cumberland and Camden.

Organization.

3. Within thirty days after this resolution becomes effective the commission shall organize by the selection of a chairman and secretary, and is authorized to adopt rules and regulations for carrying into effect the provisions hereof.

4. This resolution shall take effect immediately.

Approved May 29, 1937.

JOINT RESOLUTION No. 3

A JOINT RESOLUTION authorizing the State Highway Commission to name and designate a portion of Route 40 the "John Davison Rockefeller Memorial Highway."

Preamble. WHEREAS, The late John Davison Rockefeller was a resident of and spent much of his time in New Jersey; and

Preamble. WHEREAS, His interest in New Jersey's industries contributed much to the industrial prosperity and welfare of the citizens of New Jersey; and

Preamble. WHEREAS, His world-wide interest and leadership in education, health, medicine, business, religion and art contributed much to the human happiness and well-being of the peoples of the world; and

Preamble. WHEREAS, The people of New Jersey desire to make some permanent memorial to him for his services to them and to mankind; therefore,

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

John Davison Rockefeller Memorial Highway. 1. The New Jersey State Highway Commission be and the same is hereby authorized to name, designate and cause to be known hereafter that portion of Route 40 in Ocean and Monmouth counties as the "John Davison Rockefeller Memorial Highway."

2. This joint resolution shall take effect immediately.

Approved May 29, 1937.

JOINT RESOLUTION No. 4

JOINT RESOLUTION relating to the observance of September seventeenth as Constitution Day.

WHEREAS, On September seventeenth, of each year and every year, the peoples of the United States observe, celebrate and commemorate the anniversary of the enactment of the Constitution of the United States of America; and, Preamble.

WHEREAS, The Constitution of the United States of America has been properly termed the greatest document, with the exception of the Bible, to be ever conceived by the human mind; and Preamble.

WHEREAS, The Constitution of the United States of America has stood out in all times as a bulwark for the preservation of life, liberty and the pursuit of happiness and for all that makes for a true democracy; and Preamble.

WHEREAS, The Constitution of the United States of America was enacted on September seventeenth, one thousand seven hundred and eighty-seven; and, Preamble.

WHEREAS, David L. Pierson, Esquire, a loyal son of East Orange, Essex county, New Jersey, and a past secretary of the New Jersey Society of the Sons of the American Revolution, has been the pioneer in the yearly observance of said historic date and the originator of the movement for the celebration of said date as Constitution Day; therefore, Preamble.

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

Appreciation extended to David L. Pierson.

1. That the appreciation of the peoples of the State of New Jersey be extended to the said David L. Pierson, Esquire, of East Orange, Essex county, New Jersey, for his noble and patriotic work as originator of the observance of September seventeenth of each year as Constitution Day.

2. This joint resolution shall take effect immediately.

Approved June 2, 1937.

PROCLAMATIONS

Proclamations by the Governor

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

September the seventeenth marks the one hundred and forty-ninth anniversary of the adoption of the Constitution of the United States. In nineteen hundred and thirty-seven, we shall observe throughout the Nation the completion of one hundred and fifty years of our history under constitutional liberty. In this century and a half, America has grown beyond the fondest dreams of her early pioneers. America is the oldest and the greatest Republic. She stands as a living monument to the virility and the permanency of a free government of a free people under the free institutions of the people themselves.

It is not by accident nor by good fortune alone that we have developed higher standards of living for a greater part of our population than those in any other government at any other time in the history of the world. All of our social, political and economic problems have not been solved, of course. Many of them remain, serious and challenging, as evidence of important work yet to be done, for dead institutions only present no problems.

The way to security and ordered liberty is not by the substitution of a government of men, which destroys both the government and the governed, but by adherence to a government of law which alone in all history has perpetuated orderly government.

More than once, in our glorious past, Americans have stood in solid array against the threatened invasion of their just liberties and their national unity. The people of New Jersey yet have faith in

their Constitution as a living document. They stand together now as always for its protection and defense.

Now, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do hereby proclaim

THURSDAY, SEPTEMBER 17TH

as

CONSTITUTION DAY

I direct that the American Flag be displayed on all public buildings of the State on this day, and I request that all citizens display the Flag from their homes and places of business and that, with their neighbors, they assemble in their respective communities for appropriate observance of this anniversary of the formal adoption of the American Charter of our American liberties.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this seventeenth day of August in the year of Our Lord one thousand nine hundred and thirty-six, and in the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The untimely deaths of 2,894 persons in this State last year from motor vehicle, home, industrial and other public accidents, and the injury to thousands of others presents a serious challenge to all who believe in the conservation of human life; and

WHEREAS, This toll of life and injury was accompanied by the loss of millions of dollars; and

WHEREAS, Accidents are preventable, as evidenced by the records of many States and cities, through known methods proved by experience; and

WHEREAS, New Jersey has been signally honored by the National Safety Council in holding its Twenty-fifth Annual Safety Congress at Atlantic City, October 5th to 9th, inclusive; and

WHEREAS, The attention of the Nation will be focused upon the accident prevention activities of our State and their effectiveness in saving and protecting the lives, limbs and health of our people;

THEREFORE, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do decree and proclaim that the period of

SEPTEMBER 27 to OCTOBER 3, 1936,

be known as

SAFETY WEEK.

FURTHERMORE, I request and urge the mayors and other municipal officials to organize their committees for concerted action for safety and elimination of the accident hazards existing therein, and I hereby call upon all citizens, individually and collectively, to render their complete co-operation in this endeavor; and

I pledge the assistance of every branch of the government to make this undertaking successful.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-first day of September, in the year of Our Lord one thousand nine hundred and thirty-six, and in the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

We are about to commemorate the one hundred and fifty-seventh anniversary of the death of the Revolutionary hero, General Casimir Pulaski. Count Pulaski was devoted to liberty and independence, first in his native Poland, and later in America. His gallant service in the cause of American freedom is a part of New Jersey's Revolutionary history. He served with distinction at Trenton, at Haddonfield and at Egg Harbor. He stands high on the list of those who loved liberty more than place in their own countries and who gave such vital aid to the American cause.

In recognition of his service and his patriotism the Legislature of our State requires that this anniversary shall be annually commemorated.

THEREFORE, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do hereby designate and proclaim

SUNDAY, OCTOBER 11, 1936,

as

GENERAL PULASKI MEMORIAL DAY.

I direct that the Flag be displayed upon all State and local buildings, and I invite all of our people, not merely those of Polish ancestry, to observe by appropriate ceremonies the sacrifices and the heroic service of this distinguished patriot.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-fourth day of September, in the year of Our Lord one thousand nine hundred and thirty-six, and in the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Development, improvement and commercial use of motor transportation are accomplishments of comparatively recent years; and

WHEREAS, Motor transportation definitely has become a necessary adjunct to agricultural, indus-

trial and commercial operations, as well as an integral part of our general transportation system; and

WHEREAS, Motor transportation favorably affects the economic and social life of each citizen in the State of New Jersey—shortening distances, broadening horizons and opening new vistas of profitable employment; and

WHEREAS, National manufacturing organizations with this type of equipment have selected Newark, New Jersey, as a point to hold the Third Annual National Motor Truck Show, to be held in Newark, New Jersey, November 3d to 7th, inclusive, 1936; and

WHEREAS, It is their purpose to promote safety on the highway and further the improvement and development of the commercial use of motor transportation; and

WHEREAS, The promotion of highway safety and the prevention of unjust burdens on any class of citizens are matters of importance to all the citizens of New Jersey; and

WHEREAS, The automotive industry and industries related to it have notably assumed leadership in the present revival of economic progress; now,

THEREFORE, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do hereby proclaim the week from

NOVEMBER 2ND to NOVEMBER 7TH, 1936,

as

MOTOR TRANSPORTATION WEEK.

FURTHER, I recommend and urge that all persons engaged in commercial automotive transportation and related industries devote their best efforts during that week to promoting full realization of the benefits which motor transportation has brought to all citizens and all industries in the State of New Jersey.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fourteenth day of October, in the year of Our Lord one thousand nine hundred and thirty-six, and in the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Navy Day will be observed on Tuesday, October 27th. On this day in 1775 the Continental Congress first made provision for the construction of naval vessels which contributed to the successful outcome of the American Revolution. This day is also the anniversary of the birth of Theodore Roosevelt, the "Square Deal" President who was responsible for the modernization and strengthening of our naval forces in keeping with our responsibilities and position in the world.

In order that our citizens may better understand and appreciate the important services and protection which the Navy gives, at home and abroad, visitors will be welcome at all naval stations, naval vessels and naval activities wherever they are situated. Citizens of New Jersey are especially invited to visit the Navy Yard at Philadelphia, the Naval Air Station at Lakehurst, and other places where naval activities are maintained in the Fourth Naval District.

The Navy is not only a protection in time of war, it serves the people of this Nation in many ways in times of peace. In the field of science and invention it has made valuable contributions; in the field of diplomacy it plays an important part. It carries, to places, near and far, on the seven seas, the messages of peace as well as those of power and authority.

THEREFORE, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do proclaim

TUESDAY, OCTOBER 27TH, 1936,

as

NAVY DAY

and ask that the American Flag be appropriately displayed from all public buildings, business places and homes throughout the State. I invite the citizens of the State to visit the Navy Yard in Philadelphia and the Naval Air Station at Lakehurst, and I urge them in their meetings and in the public schools to commemorate this day with appropriate exercises.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this nineteenth day of October, in the year of Our Lord one thousand nine hundred and thirty-six, and in the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Education is fundamental to an understanding and interpretation of modern civilization. From the days of the founders of the Republic, the idea that an educated citizenship lies at the very foundation of a democratic government has defined our philosophy of national development. For these reasons the maintaining of an adequate system of public education for childhood and youth is a fundamental responsibility of any commonwealth.

The public school system of New Jersey embodies the highest ideals of American democracy and has developed a program which offers unusual opportunities to the boys and girls of our State. All of our citizens have a keen interest in our public schools and take pride in the high rank which they occupy in the Nation.

Under the joint sponsorship of the National Education Association, the American Legion, and the United States Office of Education the period November 9th to 15th has been designated American Education Week. This is a time during which the work of the public schools should be studied and appraised.

THEREFORE, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do hereby proclaim

NOVEMBER 9TH to NOVEMBER 15TH

as

AMERICAN EDUCATION WEEK

and I urge upon the citizens of the State that during this week they visit the schools in their communities and participate in various meetings and school gatherings to the end that they may better

understand the work of the schools and aid in planning for their adequate support.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this thirtieth day of October in the year of Our Lord one thousand nine hundred thirty-six, and of the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

For the blessings of peace, of freedom and for the ability to compose its differences by the orderly processes of the ballot, let America give thanks to God as each man and woman sees God.

According to the custom of the people of this State and this Nation, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do hereby proclaim

THURSDAY, NOVEMBER 26TH, 1936,

as

THANKSGIVING DAY.

I request that in all places of worship suitable observance of this day be made. I urge that each family gather its members together in observance of this day and enjoy the fullness of the earth and

of the system under which they live and there resolve these advantages shall be preserved for them and for their children.

I further request that the American Flag be displayed from all public buildings, places of business and private homes in testimony of our respect and admiration for all that Flag represents.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this tenth day of November, in the year of Our Lord one thousand nine hundred and thirty-six, and in the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The people of the City of Trenton and its environs have decided to take a forward step in the centralization of charitable funds; and

WHEREAS, They have formulated the Trenton Community Chest in the furtherance of this most worthy undertaking; and

WHEREAS, Officials and employees of the State with residences in and about Trenton and other public officials and employees have banded together that they may act as a unit in assisting in this mobilization for human needs; and

WHEREAS, A mass meeting will be held in the War Memorial Building, Trenton, New Jersey, on Wednesday, November 18th, at 1:30 P. M., in order that public officials and employees may learn of the many benefits of their community chest;

THEREFORE, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do hereby heartily approve of the Trenton Community Chest's appeal for funds during the period from

MONDAY, NOVEMBER 16TH,

to

TUESDAY, NOVEMBER 24TH, 1936,
INCLUSIVE.

I cannot stress too strongly the importance of this civic undertaking and the need for serious and wholehearted co-operation on the part of each and every citizen of Trenton and vicinity, and I urge all State officials and employees to attend the aforesaid mass meeting, leave for which is hereby granted.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fourteenth day of November, in the year of Our Lord one thousand nine hundred and thirty-six, and in the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, It appears to me that public necessity demands the convening of the Legislature of the State of New Jersey in special session,

THEREFORE, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, in and by virtue of the power vested in me by Article V, Paragraph 6 of the State Constitution, do hereby convene the Legislature of this State to meet in special session on Monday, the twenty-first day of December, A. D. 1936, at eight o'clock in the evening of the said day.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this thirtieth day of November, in the year of Our Lord one thousand nine hundred and thirty-six, and in the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
DEPARTMENT OF STATE.

WHEREAS, The State Tax Commissioner did on the thirteenth day of January, nineteen hundred and thirty-seven, under the provisions of an act, entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act to provide for the imposition of State taxes upon certain corporations and for the collection thereof," approved April eighteenth, one thousand eight hundred and eighty-four,' " and the several supplements thereto and acts amendatory thereof; and

WHEREAS, The following named corporations so reported have, for the two years preceding such report, failed, neglected or refused to pay the State taxes assessed against them for the year 1934, under the laws of the State of New Jersey, and made payable into the State Treasury; and

WHEREAS, Under the provisions of said act the charters of said corporations are revoked and all powers conferred by law upon such corporations declared inoperative and void, unless the Governor gives further time for payment; and

WHEREAS, The Governor has not given further time to the corporations so reported and hereinafter named for the payment of such taxes, and the same are still unpaid;

THEREFORE, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, pursuant to the provisions of said act of the Legislature, do hereby issue this Proclamation that the charters of the following-named corporations so reported and in default, to wit:

UNPAID TAXES FOR THE YEAR 1934

A. & A. Hat Works, Inc.,
A B—A C K—Stores Inc.,
Abbey Holding Company,
Abbot Adjustment Co.,
Abbott-Brooks Collections,
Abbott Realty Company,
A. B. C. Coat, Apron & Towel Supply Co.,
A. B. C. Fuel Dealers Supply Co., Inc.,
A. Beck Auto Fabric Co., Inc.,
Abeles Construction Co., Inc.,
Abe Sachs, Inc.,
Abseco Corporation,
Account Collectors, Inc.,
Ace Hi Plan Inc.,
Ace Management Company,
Ace Realty Corporation,
Ackurate Rubber Company, Inc.,
Acme Boat Works, Inc.,
Acme Bottle Exchange, Inc.,
Acme Distributing Co.,
Acme Embossing Company,
Acme Transportation Co. Inc.,
Acme Underwriters Corp.,
Acorn Iron Co., Inc.,
Active Holding Co.,
Adam C. Blair Company,
Adam Giuliano & Co.,
Adams Dress Shop,
Adams Nickle Plating Company Inc.,
Adams Optical Co., Inc.,
Adams & Richards Machine Company,
Adelphia, A. A., Inc.,
Adelphia Hotels Company,
Adelphia Realty Co., Inc.,
A. Dick, Incorporated,
Admiral Operating Company,
Admiration Clothes Shop, Inc.,
Adolph Corporation,
Adriatic Realty Co.,
Advance Realty Co.,

A. D. W. Corporation,
A. E. Richel & Co., Inc.,
A. F. Girard, Inc.,
A & F Market,
A. Gaillard, Inc.,
Agir Holding Corporation,
Ahearn Ceiling Company,
A. H. M. Service Stations, Inc.,
A & H Realty Construction Company,
Airport Bar-B-Q,
Airport Service Station, Inc.,
A. & I. Solomon Poultry Company,
Aitken Holding Co., Inc.,
Ajax Investment Co.,
A. J. Holm Co., Inc.,
A. J. Kelberg, Inc.,
Alarwil Realty Company,
Albany Building Co., Inc.,
Albert Backus and Company,
Albert B. Bryan Co. Inc.,
Albert C. Eppinger Co., Inc.,
Albert F. Bauer, Inc.,
Albert G. Hartley Co.,
Albert Hoefner & Son,
Albert R. Horner, Inc.,
Alden Company,
Aldon Products Corporation,
Alem Corporation,
Alexander C. Oliphant, Jr., Inc.,
Alexander Homes Co., Inc.,
Alexander Investment Co.,
Alexander Scott Realty Company, Inc.,
Alexander's Fine Shoes, Inc.,
Algo Corporation,
Allan J. Terhune, Inc.,
Allcock Tile Company,
All Eastern Co.,
Allen-Drew Company of New Jersey.
Allenhurst Hardware Co.,
Allentown Realty Company,
Alliance Mills Company,
Allied Baking Co., Inc.,
Allsopp Wetmore Corp.,

Allwood Land & Improvement Co.,
Alocra Investment Company, Inc.,
Aloff Realty Company,
Alpert's Hosiery Inc.,
Alpha Investment Company,
Alpine Brewing Company,
Alpine Castle, Inc.,
Alpine Garage, Inc.,
Alpine Village Tavern,
Alric Corporation,
Alvan Co.,
Alvo Importing Company,
A. L. Zucker Agency, Inc.,
A. Mamlet, Inc.,
Ambro Corporation of New Jersey,
Ambro Sales Corporation,
American Agricultural Credit Corporation,
American Art-Char, Inc.,
American Beef Co., Inc.,
American Candle Company,
American Coliseum Corporation,
American Dye Works, Inc.,
American Eagle Laundry Co., Inc.,
American Gas Furnace Company,
American Hosiery & Notion Co.,
American Incubators, Inc.,
American Industrial Alcohol Corporation,
American Leather Novelty Co., Inc.,
American Live Stock Company,
American Mechanics Building Association,
American Metal Bed Company No. 1,
American Purchasing & Discount Co.,
American Realty and Investment Company,
American Research Corporation,
American Safety Grater Company,
American Soap Company,
American Tallow Company,
American Taxi, Inc.,
American Tel-Ad Corporation,
American Vanadium Company,
American Vitrified Products Company,
American Wine and Liquor Corporation,
Ames Pharmacal Co.,

A. M. Mathis & Son, Inc.,
Amoeba Stationery Company,
Amon Land and Construction Company,
Ampere Loan Association,
A. M. Sacarny, Inc.,
Anderson Dry Goods Company, Inc.,
Angelo Sammaro, Incorporated,
Anjo Company,
Annes Realty Co.,
Ann's,
Apex Dress Co. Inc.,
Apgar Piling & Timber Co.,
A. & P. Oil Co.,
Apollo Players, Inc.,
Applegate & Hirsch, Inc.,
Appleking Co.,
Appleton Realty Holding Company,
Appliance Sales Company,
Arbee-Davis Co., Inc.,
A. R. & B. Realty Co., Inc.,
Arcade Tea Shoppe, Inc.,
Arcadia Liqueurs, Inc.,
Arcey Realty Corporation,
Arco Built Homes, Inc.,
Arcola Manor, Inc.,
Arc Realestate Co.,
Arc Realty Co.,
A. & R. Dress Mfg. Co.,
A. Reenstra & Co.,
Arem Corp.,
Argyle Garage,
Aria and Company,
Arin Enterprises, Inc.,
Arkay Holding Corporation,
Arlington Construction Co.,
Arlington Dress Shop,
Arlington Investment Company,
Armory Tailor Inc.,
Arnofan Co. Inc.,
Arnold Realty Co. Inc.,
Arnolt-More, Inc.,
Aroma Restaurant, Inc.,
Arosales Corporation,

A. R. Perine Co.,
Arp's Market, Incorporated,
Arrow Five & Ten Stores, Inc.,
Arrowhead Holding Corp.,
Arrow Manufacturing and Machine Company,
Arrow Silk Hosiery Company,
Art Floor Tile Company, Inc.,
Art Holding Company,
Arthur A. Busch, Inc.,
Arthur H. Holl, Inc.,
Arthur N. Starin, Inc.,
Artjon Company,
Artkin, Inc.,
Art Knitting Mills, Inc.,
Art Stained Shingle Co. Inc.,
Aryan Holding Corporation,
Asbury Park Golf & Country Club,
Asbury Park Taxi Co., Inc.,
Asher Holding Co.,
Ashland Wrecking Co.,
A. S. H. Marathon Amusement Co. Inc.,
Asparad Radio Corporation,
Associated Fertilizer Manufacturers of America,
Associated Investors, Inc.,
Associated Publishers, Inc.,
Associated Silk Mills,
Associate Holding Co.,
Astapoff & Karinsky, Inc.,
Astor Bakery, Inc.,
A. S. Wallace—W. H. Massmann, Inc.,
A & T Finance Corporation,
Atlantic City Shores,
Atlantic Container Co.,
Atlantic County Bond and Mortgage Company,
Atlantic Democrat, Inc.,
Atlantic Furniture Warehouse,
Atlantic Garden, Inc.,
Atlantic Investment Company, Inc.,
Atlantic Highlands, New Jersey,
Atlantic Land Company,
Atlantic Lumber & Export Company,
Atlantic Steamship Corporation,
Atlas Building Products Co.,

Atlas Dye Works, Inc.,
Atlas Food Company,
Atlas Lathing Corporation,
Atlas Laundry Co.,
Atlas Office Supply Co.,
Atlas Oil Co., Inc.,
Atlas Products, Inc.,
Atlas Sanitary Products, Inc.,
Atlass Securities Corporation,
Atlas Stores, Inc.,
Atlas Supply Company,
Atwood Park, Inc.,
Aubry Realty Company,
Auburn Community Auto Co., Inc.,
Auburn Co. of South Jersey,
Audiffren Refrigerating Machine Company,
August Koch, Inc.,
Auriemma-Macchi Construction Co.,
Aurora Health Institute, Inc.,
Aurora Silk Corporation,
Austin's Delicatessen, Inc.,
Auto Finance Company,
Automatic Combustion Engineers, Inc.,
Automatics, Inc.,
Automatic Weighing Corporation,
Automobile Underwriting Agency, Inc.,
Automotive Laboratory, Inc.,
Auto Parts Co. Inc.,
Auto Stores Association,
Autumn Realty Co., Inc.,
Avellino Holding Corporation,
Avello & Co., Inc.,
A. Victor Johnston & Company, Inc.,
Avi Realty & Construction Co.,
A. V. Johnson, Inc.,
A. & V. Live & Dressed Poultry Company,
Avo Manhattan Spice Company, Inc.,
Avon Investment Company,
Bacharach Securities Corporation,
Backers Toggery Shop, Inc.,
Baker Cut-Rate Drugs, Inc.,
Bakers Supplymen's Collection Agency,
Baldson Holding Company, Inc.,

Baltimore Hotel, Inc.,
Bancad Corporation of America,
Band Box Cleaners & Furriers, Inc.,
Barge Corporation,
Barker Distillery Inc.,
Barkis Realty Corporation,
Barnee's Park, Inc.,
Barney Taylor Clothing Company, Inc.,
Barr's Inc.,
Bartholdi Holding Co., Inc.,
Basile & Goodman, Inc.,
Bass & Berman, Inc.,
Bass Realty and Investment Co. Inc.,
Bath & Squash Club,
Batjer, Inc.,
Battin and Company,
Bauer Holding Company,
Bauer Tractor Co.,
Baycity Holding Company,
Bayonne Business School,
Bayonne Kiddie Amusement Co. Inc.,
Bayonne Stone Works, Inc.,
Bay Shore Beverage Corporation,
Bayshore Finance Co. Inc.,
Bayside Heights Company,
Bayview Holding Corporation,
Bayway Land & Improvement Co.,
B & B Land Company, Inc.,
B. B. S. Co.,
B. C. D. Auto Service, Inc.,
B. Chinich, Inc.,
B. C. M. Supply Company,
B. D. M. Building Co.,
B. & D. Shoe Co. Inc.,
Beach Concessions Company,
Beach Front Investment Co.,
Beach Street Realty Company,
Beacon Holding Company, Inc.,
Beacon Realty Corporation,
Bear Tonic Company, Inc.,
Beaumont, Inc.,
Beaumont Manufacturing Company,
B. E. Block Company,

Bedding Manufacturers' Association of New Jersey,
Beechwood, Incorporated,
B. & E. Holding Corporation,
Behrens Delicatessen, Inc.,
Belford Building Corporation,
Belfor Realty Co., Inc.,
Bell Beverage Stores, Inc.,
Bellegrove Company,
Belle Meade Garage Corporation,
Beller Electric Supply Company,
Belleville Construction Company, Inc.,
Bell Food Stores, Inc.,
Bellgrove Realty Corporation,
Bell-Park Realty Company,
Belmar Hotel, Inc.,
Belmar Natatorium Inc.,
Belmar Ocean Pier Company,
Belmont Grill, Inc.,
Belmont Manufacturing Company,
Belmont Operating Co., Inc.,
Belmont Tavern,
Belvidere Building & Investment Company,
Belz-Duncan Company,
Benal Warehouse, Inc.,
Benbrook & Stout, Inc.,
Bengol Realty & Construction Co.,
Benj. Wulach & Bro., Inc.,
Benjamin Zlatkin, Inc.,
Bennett Coal Co., Inc.,
Bennett Holding Company, Inc.,
Benson's Service, Inc.,
Ben Spirer's Dairy, Inc.,
Bentley Stores Corporation,
Berenbroick Holding Company,
Bergen Brewers, Inc.,
Bergen Coach Company,
Bergen Construction Company, Inc.,
Bergen County Distributors, Inc.,
Bergen County Holding Company,
Bergen Co. Pocohontas Coal Company, Inc.,
Bergen County Printing & Publishing Co.,
Bergen County Surgical Supply Co. Inc.,

Bergen Dairies of Ridgewood, Inc.,
Bergen Discount & Credit Company,
Bergenfield Furniture Store,
Bergen Laundry Service, Inc.,
Bergenline Paint Co.,
Bergen Opportunities, Inc.,
Bergen Paint & Wallpaper Co. Inc.,
Bergen Shepard Realty Company,
Bergen Square Pure Food Shop, Inc.,
Bergen Stores Builders, Inc.,
Bergenwood Holding Company,
Bergman's Inc.,
Bergras Realty Corporation,
Berg's Furniture & Storage, Inc.,
Berkeley Apartments, Inc.,
Berkeley Grill, Inc.,
Berkeley Press, Inc.,
Berk's Cosmetique Shoppe, Inc.,
Berkshire Dairy, Inc.,
Berkshire Holding Company,
Bermac Corporation,
Berman Corporation,
Bermans Gift Shop, Inc.,
Berman's Market,
Bernard Kahn, Inc.,
Bernardsville Realty Company,
Berry's Motor Service, Inc.,
Bertha Holding Company,
Bert Realty Company,
Bess Realty Corporation,
Best Cigar Co., Inc.,
Best Made Shirt Co.,
Best Made Warping & Winding Co., Inc.,
Betsytown Dress Shop,
Betty Lee Stationery Co.,
Betty Ruth Shops, Inc.,
Beverage Distributors, Inc.,
Beverly Dairies, Inc.,
Beverly Wall Paper Co.,
B. F. Schroeder and Sons Company,
B. & H. Holding Company,
B. H. K. Realty Co.,
B. & H. Labor and Trucking Company.

B. Hoffman and Co.,
Bianchi Construction Co.,
B. I. G. Business Service Co.,
Big Chief Cut Rate Market, Inc.,
Big Four Motor Corporation,
Big Four Steel Erection Co. Inc.,
Big Scoop Ice Cream Co.,
Biltmore Poultry Farms, Inc.,
Bing & Fink, Inc.,
Biocrine Institute of America,
Bippart-Hunkele, Inc.,
Bird's Eye Meat Market,
Birds Eye Shoe Rebuilders Co.,
Bischoff Coal Company, Inc.,
B. J. Cohon, Inc.,
Black and Boyd Manufacturing Company,
Black Hawk Asbestos Company,
Blackhawk Investment Corporation,
Blackwell Manufacturing Corporation,
Black and White Cleaners & Dyers Service Corporation,
Black & Yellow Cab Corporation,
Blair, Inc.,
Blair Mortgage Company,
Blakely & Johnson, Inc.,
Blasko Realty Co.,
B. L. Barnhard, Inc.,
Bleecker Club,
B. L. G. Realty Company,
Bloomfield Agency, Inc.,
Bloomfield Builders' Supply Company,
Bloomfield Manufacturing Company,
Bloomfield Record Corp.,
Bloomfield Terrace Estates, Inc ,
Blue Eagle Trucking and Coal Co.,
Blue & Gray Chateau, Inc.,
Blue Moon Dairy Stores,
Blue Ribbon Co.,
B. M. C. Patent Co.,
Boardwalk Amusement Corporation,
Boardwalk Corner Property Company,
Boardwalk Dentists, Inc.,
Boardwalk Grill Shop,

Bob & Betty, Inc.,
Bob Holding Co.,
Bock Machine & Garage Company,
Bock Motor Sales, Inc.,
Bodine Chew & Company,
Boehme Silk Company, Inc.,
Boettcher, Inc.,
Bogdan Realty Co.,
Bogota Realty Co.,
Bohler & Sons, Inc.,
Boissier Electric Corporation,
Bond Street Corporation,
Bonney Land and Building Company,
Boonton Rubber Manufacturing Company,
Boos Realty Co.,
Borden's Stationery Store, Inc.,
Bordeu Construction Co., Inc.,
Bornstein Investing Co.,
Bornstein & Sons, Inc.,
Borough Garage, Inc.,
Boulevard Auto Wreckers,
Boulevard Brake & Repair Company, Inc.,
Boulevard Garage, Inc.,
Boulevard Retail Wine and Liquor Stores, Inc.,
Boulevard Stationers Inc.,
Bowman Body Corporation,
Bowtriv Realty Co.,
Boyd R. Horner, Inc.,
B. & P. Corporation,
Branford Building Corporation,
Brass Rail,
Brass Rail Barbcue Co.,
Brauer Hair Co. Inc.,
Braunstein's Restaurant, Inc.,
Bray-Reed Chevrolet Company, Inc.,
Braywill Corporation,
Brentwood Hotel,
Bress For Less Store,
Brewster Corporation,
Briarcliff Holding Co.,
Bridge Development Company,
Bridge Garage, Inc.,
Bridgeport Deoxidized Bronze and Metal Company,

Bridge Tavern, Inc.,
Bridgeview Realty Corporation,
Brighton Coach Lines, Inc.,
Brighton Market,
Brilliant Dye Corporation,
Britco Realty Service, Inc.,
Britman Holding Company,
Broad 5-10-15 Tavern Inc.,
Broad and Market Billiard Academy,
Broad & Market Loan Corp.,
Broad Market Realty Company,
Broad and Oriental Realty Company,
Broad Restaurant, Inc.,
Broad Street Garage,
Broad Street Realty and Improvement Company,
Broad Sunoco Service, Inc.,
Broadway Grocery Co.,
Broadway Holding Co.,
Broadway Pharmacy, Inc.,
Broadway Realty & Mortgage Company,
Broadway Service Co.,
Broad & Wright Corporation,
Bro-Ben Holding Corporation,
Bromley Shop,
Bronander Engineering & Research Corporation,
Brookhattan Realty Co.,
Broome Associates,
Brorsurf Co.,
Brown Brothers Investing Company,
Brown Garage, Inc.,
Brownington Realty Company,
Brown & Mensel, Inc.,
Brown's Newark and New York Express Company,
Broza Products Corporation,
Bruehwiler Embroidery Co.,
Brumberg-Coyle-Kantor Incorporated,
Bruni Shoe Stretcher Company,
Brunton Realty Company,
Brussel Produce & Fruit Co., Inc.,
Bryant Hotel Company,
Bryant Petroleum Corporation,
Bry Realty Co.,
B & S Realty Co.,

Buccleuch Corporation,
Buchwald's Inc.,
Budd Advertising Agency, Inc.,
Budd Drug Co., Inc.,
Bud Dress Shop,
Buford M. Brooks, Inc.,
Buhler Motors,
Builders Finance Corporation,
Builders Mutual Supply Co.,
Building & Loan Association Share Exchange,
Building Products Corporation,
Building Search & Credit Service, Inc.,
Bundy Garage Company,
Burbar Corporation,
Burlington Real Estate and Manufacturing Company,
Burlington Turn Shoe Company,
Burns, Lane, Richardson Company,
Burtis Corp.,
Burton & Wilcox, Inc.,
Bushwald's Corsets, Inc.,
Business Holding Corporation,
Busold's Market, Inc.,
Bussen-King, Inc.,
Butler Dredging Co., Inc.,
B. W. Ehrke Coal Company,
B. Weinstock Tanners, Inc.,

C. A. Brace Company,
Cadillac Auto Rental Service, Inc.,
Cadillac Cleaners & Dyers Corporation,
Caffaro Holding Co.,
Cald-Mont Holding Co., Inc.,
Callas Sweet Shops, Inc.,
Camden Beef Co.,
Camden Construction Company,
Camden Office Equipment Co.,
Camden Trucking Co.,
Cameo Luncheonette,
Camfay Realty Co. Inc.,
Campbell Process Corporation,
Campbell-Shultz Company,
Camp Custer, Inc.,

Camphorole Inc.,
Candor Silk Company,
Cantor's Dairy Corporation,
Cape Company, Inc.,
Capital Store Fixture Co.,
Capitol Dry Goods Store,
Capitol Home Builders, Inc.,
Capitol Meat Market, Inc.,
Capitol Paint & Oil Co.,
Caples & Cody, Inc.,
C. A. Reid Piano Company,
Carl A. Johnson, Inc.,
Carland Holding Company,
Carl E. Kees, Inc.,
Carlen Holding Company,
Carling Breweries, Inc.,
Carlisle Silk Corporation,
Carl Mau Realty Co.,
Carl Realty Co.,
Carl S. Rollerson, Inc.,
Carolyn Sportwear Co.,
Carpenter's Night Protective Service, Inc.,
Carragher Construction Co.,
Carson-Westerman Motor Co., Inc.,
Carteret Building Co.,
Carteret Land & Development Company,
Carteret Management Company,
Carteret Pharmacy Inc.,
Carter Latex Corporation,
Casa Lido, Inc.,
Casteen Co., Inc.,
Cause and Effect, Inc.,
Cavalier Company,
Cayram Construction Company,
C. & B. Construction Co.,
C. & C. Nurseries,
Cedar Fuel & Lumber Co.,
Cedar Grill,
Cedar Holding Company,
Cellugas Products Company, Inc.,
Ce-Mar Cosmetic Shops, Inc.,
Centennial Investment Corporation,
Center Garage Company,

Center Luncheonette,
Center Petroleum Co.,
Center Pharmacy, Inc.,
Center Produce Exchange, Inc.,
Central Avenue Food Market,
Central Bayonne Improvement Company,
Central Coal Company Inc.,
Central Coal & Fuel Corporation,
Central Consumers' Company,
Central Cranberry Company,
Central Distributing Co. Inc.,
Central District, Inc.,
Central Food Stores, Inc.,
Central Home Supply Co., Inc.,
Central Household Storage, Inc.,
Central Importing Co., Inc.,
Central Jersey Aero Club,
Central Jersey Beverage Co., Inc.,
Central Lumber & Mason Material Co. Inc.,
Central Union Underwriters,
Centre Decorating Company, Inc.,
Century Blending Corporation,
Century Construction Company,
Century Investment Corporation,
Century National Chemical Company,
Century Road Syndicate, Inc.,
Cerny Holding Corp.,
Certified Brands of N. J. Inc.,
Certified Construction Company,
Certified Poultry Farm, Inc.,
Certified Realty Company,
C. E. W. Realty Company,
C. F. Behrens Real Estate Corporation,
C. F. Haas Realty Co.,
Chadwick Building Company,
Chain Laundry System,
Chain Store Leasing Corporation,
Chain Stores Vending Corporation,
Chalbon Realty Corporation,
Chamber Realty Company,
Chambersburg Loan Company, Inc.,
Champagne Vineyards Corporation of America,
Champion Dish Washing Machine Company,

Chancellor Avenue Service Garage, Inc.,
Chane, Inc.,
Chanin's Luncheonettes,
Character Furniture, Inc.,
Charles Beck, Inc.,
Charles C. Johnson, Company, Incorporated,
Charles C. Sharp, Inc.,
Chas. E. Henkelman, Inc.,
Charles E. Moles, Inc.,
Charles F. Stuber, Inc.,
Charles-Hanna Corporation,
Charles J. Smith Construction Company, Trenton, N. J.,
Charles J. Weber, Inc.,
Charles L. Bader & Co.,
Charles P. Curry, Inc.,
Charles R. & Grace M. Morris, Inc.,
Chas. Schaefer Distributing Co., Inc.,
Charlton Baths, Inc.,
Charmay Shops, Inc.,
Charsam Dress Co., Inc.,
Chatham Coal, Feed & Lumber Co.,
Chelsea Estates, Inc.,
Chemical Holding Company,
Chemical Reclamation Co., Inc.,
Chemung Corporation,
Chesham Realty Corporation,
Chico Corporation,
Chief Holding Corporation,
Child-Health Sand Co.,
Christian Poulsen, Inc.,
Christiansen & Son, Inc.,
Church Boulevard Realty Corporation,
Cinderella Sweet Shop, Inc.,
Circle Motor Transportation, Inc.,
Citizens Mutual Mortgage & Investment Company,
Citizens' National Building Company of New Brunswick, N. J.,
Citizens Realty Company,
Citizens Silk Co., Inc.,
City-County Investment Co., Inc.,
City Limit Cab, Inc.,
City Line Markets, Inc.,

C. J. Markus, Inc.,
C. Klien, Inc.,
Clairmont Motor Company,
Claremont Park Corporation,
Clare Mortgage Company,
Claridge Funeral Home Inc.,
Clark & Drossaers, Importers, Inc.,
Clark Plastering Company,
Clark Realty Company,
Clasyl Realty Co. Inc.,
Clawson-Case, Inc.,
Clayton Associates,
Clearview Estates, Inc.,
Clements-Griffin, Inc.,
Cleveland Holding Company,
Clever-Clad Shops, Inc.,
C. L. Gibbs Company,
Cliff Garage and Repair Co.,
Cliffridge Realty Corporation,
Clifton Center Realty Corporation,
Clifton Paper Mills,
Clifton Silk Finishing Co.,
Climax Realty Co., Inc.,
Clinton Arms, Inc.,
Clinton B. Ayars Canning Company,
Clinton Building Barber Shop, Inc.,
Clinton Co. of Newark,
Clinton Garage of Jersey City, Inc.,
Clinton Investment Company,
Clinton Place Garage, Inc.,
Clinton Rathskeller,
Clinton Restaurant,
Clinton Service Stations of Jersey City, Inc.,
Clinton Union Realty Co.,
Clinton & Washington Oil Co.,
Clinton Willow Corporation,
Closter Stone Quarries, Inc.,
Clover Coal Sales Company,
Clover Valley Dairy Farm Inc.,
C. L. Pierce Optical Specialists,
Club Castle,
Club Mar-Len,
Club Plan Distributing Co.,

Coal & Gas Development Corporation,
Coast Sales Co.,
Coast Securities Corporation,
Coastwise Service, Inc.,
Coffo Manufacturing Company,
Cohen Credit Co.,
Cohen's Department Store Inc.,
Coldren Ice Cream Co.,
Cold Spring Fisheries Company,
Coles Realty Company,
Colgate Holding Company,
Collateral Investment Co.,
College Cleaners, Inc.,
College Throwsters Inc.,
Collingswood Electric Co.,
Collins Bros. Diners, Inc.,
Collins Farms Company,
Collins Mortgage Company,
Colloidal Chemical Company,
Collway Radio Laboratories, Inc.,
Colo Company of Newton, N. J.,
Colonial Coat, Apron & Towel Supply Co., Inc.,
Colonial Company,
Colonial Dyeing Co.,
Colonial Lumber Company, No. 1,
Colonial Stair Cushion Co.,
Colonnade Hotel Company,
Colton Manor Company,
Columbia Bottling Company, Inc.,
Columbia Brewing Co., Inc.,
Columbia Distillers & Vintners Products Company,
Columbia Grocery Company,
Columbia Hall, Inc.,
Columbia Park Water Co.,
Colyer and Company,
Comac Products Co.,
Comet Auto Stores, Inc.,
Comet Holding Co.,
Comet Lighterage Company,
Comfort Built Upholstering Company,
Commercial Adjustment and Search Service,
Commercial Capital Corporation,
Commercial Credit Adjustment Co.,

Commercial Express Co., Inc.,
Commercial Mortgage Company,
Commercial Syndicates, Inc.,
Commonwealth Automobile Club,
Commonwealth Coal and Coke Corporation of Paterson,
Commonwealth Gasoline Stations, Inc.,
Commonwealth Realty Company of Atlantic City,
Community Playhouse, Inc.,
Compo Printing Roller Corporation,
Compton Creek Transportation Company,
Concord Finance Corporation,
Concrete Machinery Corporation,
Conford Realty Company,
Congress Sales Corporation,
Con-Je Publishing Co.,
Conklin Holding Company,
Conlon Contracting Co., Inc.,
Connet & Wilson Realty Corp.,
Conrad Hosiery Co. No. 1,
Conrobert,
Consolidated Distillers, Inc.,
Consolidated Distributors, Inc.,
Consolidated Mills Flour Corporation,
Construction Management, Inc.,
Construction Surveyors, Inc.,
Consumer's Brewing Company of Elizabeth, N. J.,
Consumers Wine Stores, Inc.,
Continental Chemical Corporation,
Continental Distributing Co. Inc.,
Continental Electric Lamp Corp.,
Continental Leather Goods Co.,
Continental Mortgage and Title Guaranty Company,
Continental Neon Light Corporation,
Cook Corporation,
Cook Lumber Company,
Cook's Sons Corporation,
Co-Operative Builders' and Plumbers' Supply Company, Inc.,
Co-Operative Building Company,
Cooperative Liquor Dealers Corp.,
Co-Operative Motor Mart, Inc.,

Co-Operative Purchasing Plan, Inc.,
Coover Realty Company,
Cope Company,
Copper Print Roller Corp.,
Coquette Cosmetic Stores,
Corinthian Realty Co.,
Corlies Land Company,
Corlies Service Stations, Inc.,
Corneli Realty Company, Inc.,
Cornell Clothes, Inc.,
Corning Development,
Cotton and Ackley, Druggists,
Cotton Products Company,
Country Club Ice Cream Company,
Country Line Realty Co.,
Court House Cut Rate Cigar Store,
Coward Brothers,
Cowles Express Co., Inc.,
Coyne Engraving Company of Newark,
Craco Corporation,
Craft Realty Company,
Craig A. Vail Agency, Inc.,
Craig Hall, Inc.,
Cramp and Company,
Crane Bus Company,
Cranmer, Tillotson Company,
Crawford Theatre,
C. R. Corporation,
Crescent Embroidery Corp.,
Crescent Laundry Company,
Crescent Metal Works, Inc.,
Crest Realty Co.,
Crestwood Realty Corporation,
Crezoin Chemical Corporation,
C. Richter & Son, Inc.,
Criterion Holding Corporation,
Criterion Mills, Inc.,
Crofford C. Haynes, Inc.,
Cro'nest Colony Corporation,
Cronin & Foley, Inc.,
Cronin, Foley & Wandelt, Inc.,
Crosby Realty Company,
Crosstown Service, Inc.,

Crosswicks Textile Mills, Inc.,
Crown Beverage, Inc.,
Crown Cigar Co., Inc.,
Crown Fur Dyeing Works,
Crown-Penn Oil Co., Inc.,
Crown Point Land Co.,
C. R. Wilkins Co., Inc.,
Crystal Brook Company,
Crystal Realty Investment Company,
C. S. G. Building Co. Inc.,
C & S Holding Corporation,
Cumley Lumber Co., Inc.,
Cummings Brothers Company,
Cumulative Sales Plan, Inc.,
Cupboard Candies, Inc.,
Curios Investment Co.,
Curtain & Blanket Cleaners, Inc.,
Cuthbert Brothers Company,
C. Wade Construction Co.,
C. W. Holding Co.,
C. & W. Holding Corporation of Bergen County,
Cycle Realty Company,
Cyphers Restaurant, Inc.,

Dabon Investment Corporation,
D. & A. Dress Co.,
Dainty Quality Laundry Corp.,
Dairy Machine and Engineering Corporation,
Dalco Filling Stations, Inc.,
Dalgaard & Van Note Inc.,
Dana Inc.,
Dandy Beverage Company,
Danforth Realty & Development Co. Inc.,
Daniels Holding Co.,
Daniels and Morgan Real Estate Corporation,
Danner Holding Corp.,
Dante Construction Co. Inc.,
Daree Realty Co., Inc.,
Darling & Gwyer Co.,
Daume & Mansmann, Inc.,
Dave's Delicatessen & Restaurant, Inc.,
Davhil Company, Inc.,
David A. Veeder, Inc.,

David Harris, Inc.,
David J. Ershowsky, Inc.,
David Raiken, Inc.,
David Straus Company,
Davis & Gibbs, Inc.,
Davis & Higbie, Inc.,
Dawn Cigarettes, Incorporated,
Dealers Holding Corp.,
Debette—Perth Amboy,
Debette—Trenton,
Decker Bros.,
Decker Building Material Co.,
Deeks Manufacturing Company, Incorporated,
D. E. F. Corporation,
De Jianne's, Inc.,
Del. Cove Oyster Co.,
Delaware Garage, Inc.,
Delaware Valley Distilleries Corp.,
Delish Cracker & Products Co.,
Delmar Hall, Inc.,
Del Monte Holding Co., Inc.,
Delmore Realty Co.,
Delrose Realty Corp.,
Delsea Pump Co Inc.,
Delsea Service Company,
Del Sordo, Inc.,
Delta Railway Safety Appliance Corporation,
De Luxe Amusement Co., Inc.,
De Luxe Sedan Service, Inc.,
Demant Realty, Inc.,
de Ponya Trading Co. Inc.,
Derby Game Farm,
Derby Marathon Inc.,
Derf Manufacturing Co.,
De Santis Gold Mines, Inc.,
Detroit Products Corporation Inc.,
Deuble & Seyfarth, Inc.,
Devices Distributing Co.,
D. & G. Sand and Gravel Company,
Diamond Realty Company,
Diamond T. Trucks, Inc.,
Diehl Welding and Machine Company,
Dinshah Gasoline Motor Corporation,

Direct Finance Company,
Disco Dyeing and Printing Company, Inc.,
Discount Holding Corp.,
Disposor Corporation,
D. K. Co., Inc.,
D. Lang, Inc.,
D. L. and L. Co., Inc.,
D. L. & L. Dress Co., Inc.,
Doc's Den, Inc.,
Dodd Construction Company,
Dodd Theatre Corporation,
Dollar Saving Stores,
Domestic Novelty Co.,
Domestic Sales Company,
Domgen, Inc.,
Donald Furniture Co.,
Donald Silk Co.,
Dorel Realty Co., Inc.,
Doremus Motor Company,
Doris Realty Company Incorporated,
Dorose Holding Co.,
Dorothy Adams, Inc.,
Dorothy's, Inc.,
Dorsey & Smith, Inc.,
Dougherty Specialty Glass Company, Inc.,
Dover Speedway Inc.,
Dowd Products Corporation,
D. P. Forst and Company,
D. Raiken Monuments, Inc.,
Drake Secretarial College,
Dreamland Amusement Corporation,
Dreamland Casino Inc.,
Dri-Kleen Mfg. Corp.,
Drive-To Department Stores,
D. S. Keller & Co., Inc.,
Duborel Corporation,
Dumbroff Bros., Inc.,
Dumont Construction Co.,
Dunellen Concrete Construction Company, Incorporated,
Duo-Art Belleek Co.,
Duplex Silk Mills Inc. of New Jersey,
Durable Silk Yarn Corp.,

Duravalve, Inc.,
Durium Products, Incorporated of New Jersey,
Duryea Manufacturing Company,
Duryee & Co. Inc.,
Duval Lumber and Supply Co.,
Duval Realty Company,
Duzy, Inc.,
Dyer Engineering & Contracting Co.,

Eagle Army and Navy Stores, Inc.,
Eagle Beverage Distributing Company,
Eagle Leather Portfolio Co.,
Eagle Metal Products Co.,
Eagle Pictures Corporation of New Jersey,
Eagle Shirt Co., Inc.,
Eagle Sport Enterprises, Inc.,
E. & A. Holding Co., Inc.,
Earle Anti-Freeze Valve Corporation,
Earle J. Beach Company,
East Bergen Finance Corporation,
East Camden Finance & Development Company,
East Camden Holding Company,
East Coast Distillers Co.,
East End Realty Company,
Eastern Bottling Company,
Eastern Dry Cleaning Co.,
Eastern Fur Dyeing Co., Inc.,
Eastern Hat Manufacturing Company, Inc.,
Eastern Motor Freight, Inc.,
Eastern States Express Corp.,
East Jersey Securities Corporation,
East Newark Development Company,
East Orange Construction Co.,
E. A. Strozyk, Incorporated,
East Rutherford Taxi Co.,
Eastwood Corporation,
Easy Light Corp.,
Eaton Company, Inc.,
Eat-Rite Diner, Inc.,
Ecco Coal Company, Inc.,
E C Inc.,
E. & C. Kuhlman,
Eclipse Floor Covering and Bedding Company, Inc.,

Eclipse Products Company, Inc.,
Economy Furniture Stores, Inc.,
E. Cooper & Sons, Inc.,
Ed Barnett Auto Accessories Store, Inc.,
Eddie's Service Garage, Inc.,
Edel Laboratories, Incorporated,
Edge-Bak Manufacturing Co., Inc.,
Edge & Co.,
Edgemont Courts Inc.,
Edgemont Realty Co., Inc.,
Edgewater Tapestry Looms, Inc.,
Edison Plumbing & Heating Supply Co., Inc.,
Edna Holding Company,
Edon Investment Company,
Educational Play Center, Inc.,
Edward Fell Jardine Company, Inc.,
Edward F. Rowe, Inc.,
Edward I. Brown Estate, Inc.,
Edward J. Hannan, Inc.,
Edward J. Holland Co. Inc.,
Edward K. Mesick, Inc.,
Edward O'Toole Company, Inc.,
Edward S. Scheflen & Company, Inc.,
Edward Wood & Co., Inc.,
Edwin Company,
Ed Wise, Inc.,
E. F. Johnson Co.,
E. G. Bunting Co.,
Egg Harbor City Print Shop,
E. G. Holding Co.,
E. H. Investment And Securities Corporation,
E. H. Schuldt, Inc.,
Eighth Street Corp.,
E. Kaplan Hardware Corp.,
Elaine Corporation,
Elasticap, Incorporated,
Elasticap Warehouse Company,
Eldridge Directories, Inc.,
Eleanor Hat Company Inc.,
Electrical & Gift Shop,
Electric Lamp Patents Corporation,
Electric Motor and Repair Company,
Electric Records, Inc.,

Elgee Realty Company,
Eli Berman Corp.,
Elin Agency, Inc.,
Elite Shop, Inc.,
Elizabeth Auto Laundry, Inc.,
Elizabeth Avenue Holding Company,
Elizabeth Glass Company,
Elizabeth Investment Company,
Elizabeth Operating Company,
Elizabeth Window and House Cleaning Co. Inc.,
Elkhorn Tavern, Inc.,
Elk Market, Inc.,
Elks' Building Association, Bergenfield Lodge, No. 1477, B. P. O. E.,
Ella Realty Company,
Ellen E. Carlson, Inc.,
Elliott Furniture Company,
Elliott's Chemists, Inc.,
Ellison Building Co.,
Elma Realty Associates, Inc.,
Elmer Blomkvest, Inc.,
Elmer Hatchery, Inc.,
Elmora Diner, Inc.,
Elmora Villa and Home Building Company,
Elm Park Estates, Inc.,
Elmside Holding Company, Inc.,
The Elm Tavern, Inc.,
Elray Land Co.,
Elvin H. Killheffer Company,
Elward Holding Corp.,
Elwood Development Company,
Elwood Realty Co.,
Emaness Realty Co.,
Embassy Restaurant, Inc.,
Embroidery Factors Corporation,
Emergency Exchange Corp.,
Emerson-Bergen Holding Company,
Emerson Garage Company,
Em-Ess Auto Service Inc.,
Emil Gaissert, Inc.,
Emil Realty Co.,
Emjay Holding Corp.,
E. M. Johnson, Inc.,

Emma Markwith, Inc.,
Emmet Trucking Co. Inc.,
Empco Corporation,
Empire Film Industries, Inc.,
Empire Finance and Funding Corp.,
Empire Trucking Co. Inc.,
Enameled Steel Tile Corporation,
Enarc Holding Company,
Ender & Eberling, Inc.,
Engineering and Sales Corporation,
Engineers Builders Corporation,
Englewood Garten-Haus,
Englewood-Hudson Realty Co.,
English Village, Inc.,
Ensign Corporation,
E. & P. Motor Service, Inc.,
Epstein-Mintzer Company, Inc.,
Equitable Mortgage Service, Inc.,
Equity Brokerage Co.,
Equity Silk Company,
E. R. Connett & Company,
Eresos Candy Shop, Inc.,
Erie Railroad Advertising Corporation,
Eriksen's Diner, Inc.,
Erma Printing Co., Inc.,
Esbro Corporation,
E. Scioli Inc.,
Escon Realty Corporation,
E. S. & K. Realty Company,
Essex Beverage Company,
Essex Builders' Supply and Lumber Company,
Essex Camera Corporation,
Essex County Amusement Holding Co. Inc.,
Essex Engineering Company,
Essex Grain and Hay Co., Inc.,
Essex Ice & Coal Company,
Essex Maintenance Company,
Essex Realty Funding Corporation,
Essex Utilities Company,
Estate of Louis Poles, Inc.,
Estella Holding Company,
Estelle Realty Company,
Estelle Shops, Incorporated,

Estry Realty Co.,
E. S. W. Company,
Euclid Credit & Collection Bureau, Inc.,
Eudora Construction Co., Inc.,
Eureka Business Men's Association of Jersey City,
Eureka Laundry Machinery Co. Inc.,
Eureka Machine Co., Inc.,
Evans Printing Service Incorporated,
Eveline Costume Company,
Everett B. Cole, Inc.,
Everett H. Sheppard, Incorporated,
Evergreen Bar & Grill,
Ever-Ready Fire Detector Corporation,
E. Waldeck and Company,
E. W. David Investment Co.,
Ewing Heights Company,
Ewing Heights Investment Company,
E. W. Kaiser, Inc.,
Ex-cel-all Radio and Mfg. Co.,
Excelsior Holding Company,
Excelsior Products Co., Inc.,
Exchange Distribution Corporation,
Exeter Realty Co.,

Faber Holding Co. Inc.,
Fabian Holding Corporation,
Fagco Corporation,
Fairbairn, Inc.,
Fair Company of America, Inc.,
Fairfield Heights Realty Co.,
Fairkol Stoker Company,
Fairlawn Beer Gardens,
Fairlawn Estates,
Fair Lawn Motor Sales, Inc.,
Fairlawn Service Station,
Fair Lunch,
Fairmount Paint Co.,
Fairmount Radio & Appliance Service, Inc.,
Fairway Laundry Service, Inc.,
The Famouse Brands Import Corp.,
Fapaco Inc.,
Farm Products Inc.,
Farms Operating Co.,

Fashion Clothes Shop, Inc.,
Fast Way Delivery Inc.,
Favorite Home Laundry, Inc.,
F. B. Hague Company, Inc.,
F & B Stevens, Inc.,
F. E. Cline, Inc.,
Federal Meat Packing Co., Inc.,
Federal Metal Products Corporation,
Federal Mortgage Loan Corporation of New Jersey,
Federal Rock Corporation,
Federal Textile Embossing Co., Inc.,
Federal Welding Works, Inc.,
Federated Realty, Inc.,
Feind and Hain Drug Company, Inc.,
Feinstein, Inc.,
Fell Hotels, Inc.,
Fenway Hat Company,
Fernhill Realty Company,
Fernwood Co.,
Ferrary Bros. Co.,
Ferro Pipe Corporation,
Ferry News Company, Inc.,
Ferry Street Grocers, Inc.,
F. & F. Silk Corporation,
Fibrone Sales Corporation,
Fidelio Leather & Findings Corporation,
Fidelity Camden Investment Co.,
Fidelity Finance Corporation No. 1,
Fidelity Finance Corporation No. 2,
Fidelity Service Bureau,
Fillmore Realty Company,
Finance Construction Company Incorporated,
Finchley Upholstery Shop, Inc.,
Finck Universal Service, Inc.,
Finesse, Inc.,
The Finestte Hosiery and Underwear Company,
Fink Holding Company,
Fiore J. Dato & Son,
Fischer Artistic Tiling Co., Inc.,
Fishermen's Ice & Cold Storage Company,
Fish-Graves Company,
Fishman-Kolbell Company,

F. J. Mullaney Iron Works,
Flame King Coal Company,
Fleck-Atlantic Co.,
The Flink Agency,
Floda Holding Co., Inc.,
Flodor Realty Co.,
Flo Greene Realty Co.,
Floman Company,
Flor-Beth Realty Company,
Florence Dress Co., Inc.,
Florence Holding Company,
Floridian Valet, Inc.,
Florists' Mortgage-Loan Company of New Jersey,
Flower Farm, Inc.,
Flower Realty Corporation,
Fluorescent Studios, Inc.,
F. M. H. Holding Corporation,
Food Specialties, Inc.,
Foreign Development Corporation,
Forgren Co.,
Forsythe Company,
Fort Lee & Manhattan Realty Corporation,
Fortugno Holding Company,
Forum Hat Corporation,
Forzine Realty Company, Inc.,
Foster's Liquor Store, Inc.,
Fourteenth Street Restaurant, Inc.,
Fox Manufacturing Company,
Francis Chevrolet, Inc.,
Francis Realty Co., Inc.,
Frank A. Boettner Company,
Frank Effert Association Building Corporation,
Frank H. Mather, Inc.,
Frankie Burns, Inc.,
Franklin Bakery, Incorporated,
Franklin Community Garage, Inc.,
Franklin Construction Co., Inc.,
Franklin Emerson Producing Company, Inc.,
Franklin K. Pearce Co.,
Franklin-McCandliss Co.,
Franklin Theatre Company, Inc.,
Frank's Delicatessen-Restaurant, Incorporated.
Frank Sorgendo, Inc.,

Frank's Paterson,
Fraton Caterers, Inc.,
Fraxam Amusement Corp.,
Fredding Corp.,
Frederick Flammer, Inc.,
Frederick La Ferrara, Inc.,
Frederick Products, Inc.,
Fredhall Silk Throwing Company,
Fred Stave & Sons,
Freebur Products Co.,
Freedman's Auto Repair Shop,
Freed Realty Company, Inc.,
Freehold Driving Association,
Freeholders Realty Corporation,
Freehold Poultry Ranch, Inc.,
Freeman Realty Company,
Freight Transportation Company, Inc.,
French Art Mills,
French Shop, Inc.,
Frieder-Kurtz & Co.,
Friedland Realty Co.,
Friedland-Schwartz Painting Co.,
Friedman Mdse Co., Inc.,
Friedman & Weiss, Inc.,
Frish Realty Co.,
Frost System of Essex County,
Fruit Holding Co.,
Fruitland Pure Food Products Co., Inc.,
Fulton Towers Investment Co.,
Funded Holding Company,
Fur Breeders' Journal, Inc.,
Fur and Millinery Shop, Inc.,
F. W. Harper Company,
F. W. Krayer Co., Inc.,
F. W. K. Realty Corporation,

Gab-Realty Co. Inc.,
Gagne Building Co.,
Gaillard's Garage Inc.,
Gallant-Roberts, Inc.,
Gannon Auto Sales Company,
G. A. Pfingsten, Inc.,
Garden Palace Recreation Co.,

Garden Realty Corporation,
Garden State Creamery Incorporated,
Garden State Farms Co.,
Garden State Importers, Inc.,
Garden State Sporting Clubs,
Gar-Fon's Inc.,
Garfunkel, Inc.,
Garrett Court Corporation,
Garrett Roosma, Jr., Inc.,
Garwitt Agency, Inc.,
Gas Generator Corporation,
Gast Electric Co.,
Gateway, Inc.,
Gatti Silk Dyeing Company No. 1,
Gebhard Mfg. Company,
Gebhard Novelty Mfg. Corp.,
(The) Geddes Company,
Geery Holding Co.,
G. E. Kaiser, Inc.,
Geldziler & Munzer, Inc.,
Gem Realty Co.,
General Acceptance Corporation,
General Bottling Corp.,
General Collection Bureau Inc.,
General Electrical Equipment Co., Inc.,
General Engineering Co.,
General Finishing Studios, Inc.,
General Fuel Co., Inc.,
General Fur Dressing & Dyeing Co. Inc.,
General Holding Company,
General Home Improvement Corp.,
General Insulation Corporation,
General Mortgage Finance Corp.,
General Realty Development Co.,
General Reduction Corporation,
General Roofing Supply Corporation, No. 1,
General Sales, Inc.,
General Securities Corporation,
General Service Corp.,
General Sheet Metal Works, Inc.,
General Television Corporation,
General Tire Service Company of Trenton,
General Tube Company, No. 1,

General Window Cleaning Co.,
Geo. A. Laprade, Inc.,
George Corporation,
George Ehret Brewing Corporation,
George F. Malley, Inc.,
George F. Perry and Sons, Inc.,
George Glass, Inc.,
George Hummel Coal Co.,
George Leek, Inc.,
George L. McMunn Company, Inc.,
George M. Wasserman, Inc.,
George Ogden and Son Company,
Geo. Schlenker,
George's Dental Laboratories, Inc.,
George Smith & Sons of Montclair,
Georgeson Lodge, Inc.,
George Todd, Inc.,
George Wilson, Inc.,
Geo. W. Jessup & Son,
George W. Renkel, Inc.,
Georgian Textile Mills,
Gerald Realty Co., Inc.,
Gerber Building Material Co.,
Gerber Realty Co.,
Gerbert Corp.,
Germania Land Development Company,
G. F. C. Holding Co.,
G & G Development Co.,
G. G. M. Realty Corporation,
Giant Laundry, Inc.,
Giant Manufacturing Co.,
Gibraltar Investment Co., Inc.,
Gibraltar Mortgage & Loan Corporation,
Gibralter Luggage Inc.,
Gibralter Realty & Construction Company,
Gier's,
Gilmer Land Co.,
Gilmor Realty Corporation,
Gilpin Drug Co.,
Girardin Realty Company,
G. J. M. Realty Corp.,
G. K. & H. Operating Company,
Gladstone Park Realty Co.,

G. L. Cox Building and Construction Co., Inc.,
Glen Gardner Distilling Corporation,
Glenside Realty Company,
Glenwood Delicatessen, Inc.,
Glenwood Development Company,
Glenwood Distilling Corp.,
Globat Corporation,
Globe Commercial Company,
Globe Iron Works, Inc.,
Globe Marathon Inc.,
Gloria Leather Goods Mfg. Co., Inc.,
Gloucester County Credit Association, Inc.,
Gluver Silk Co., Inc.,
G & M Amusement Co.,
Godwin Realty Corporation,
Goldberg-Julian Securities Co.,
Gold Bond Bedding & Upholstery Corporation,
Golden Gate Fruit Products Corporation,
Goldenrod Distributing Co.,
Goldfinger's Specialty Shop, Inc.,
Gold Furniture House, Inc.,
Goldie,
Gold Star Coffee Co.,
Goller Hardware & Supply Company, Inc.,
Gondos Co.,
Goode Haberdashers, Inc.,
Good Products,
Goodrel Realty Company,
Goodson & Wilson,
Goody Carmel Crispy Corn Company, Inc.,
G. O. P. Publications, Incorporated,
Gorden Martin Company,
Gordon Beverage Company,
Gottfried's Drug Store, Inc.,
Grace Development Co. Inc.,
Graf Garage & Ignition Service, Inc.,
Grand Rapids Furniture Company, Inc. of New Jersey,
Grand View Realty Company,
Granger Mfg. Company, Inc.,
Granite Realty Corp.,
Grant Lunch Corporation,
Grant Silk Manufacturing Co. Inc.,

Grantwood Pharmacy, Inc.,
Graope Transportation Co., Inc.,
Gravenstine & Jones, Inc.,
Gray & Co., Incorporated,
Greasless Do-Nut Machine Company,
Greater Investment Co.,
Greater New York Adjustment Service, Inc.,
Greater Philadelphia Amusement Company,
Greater Uneeda Clothing Company,
Great Western Fruit Market, Inc.,
Green Cat Co. Inc.,
Green Land and Improvement Co.,
Greenlawn Management Corporation,
Greenman-Reitman Realty Co.,
Green Parrot Coffee Shop, Inc.,
Greenridge Holding Company, Inc.,
Greens' Management, Inc.,
Greens' Service Stations, Inc.,
Greenville Boot Shop & Shoe Rebuilders,
Greenville and New York Stages, Inc.,
Greenville Pharmacy,
Greenwich Milling Company,
Greenwich Pier Railway Co.,
Greiner Plumbing Co.,
Grenloch Manufacturing Co., Inc.,
Greys Perfumery,
Grifbar National Corporation,
Grip-Rite Sanitary Belt Co.,
Gross Sandwich Shop,
Grove Automobile Supply Company, Inc.,
Grove Bakery & Restaurant, Inc.,
Grove Lumber and Supply Co. Inc.,
Grove Meat Market,
Grover Investment Company,
Grove Street Plaza Company,
Grove Wholesale Tobacco Co.,
Gruenberg Radio Company, Inc.,
Grunow Products Sales Company,
G. Schwartzstein, Inc.,
Guarantee Sign Corporation,
Guaranty Realty and Security Corporation,
Guardian Agency,
Guardian Realty Company,

Guffanti's, Inc.,
Guild Hardware & Paint Co. Inc.,
Gus Kohn Company,
Gutheil Service, Inc.,
Guttenberg Bowling Academy, Inc.,

Hackensack Motor Car Company,
Hackensack Natatorium,
Hackensack Sports Club,
Hackney's Ocean City Restaurant, Inc.,
Haddon Township Publishing Co.,
H. A. Hamilton, Inc.,
Hall-Clough, Inc.,
Hall & Reck, Inc.,
Halsey Distributing Corp.,
Halsey Street Realty Co.,
Halsted Building Co.,
Hamill Industrial Clinic,
Hamilton Associates, Inc.,
Hamilton Corporation,
Hamilton Pines Corporation,
Hammacher Realty Co. Inc.,
Hammel Provision Co.,
Hammer Incorporated,
Hammonton Shoe Company,
Hanley's Flower Shop, Inc.,
Hanlon Auto Sales, Inc.,
Happy Home Tavern & Grill,
Harber Realty Co.,
Harbor Ice Service, Inc.,
Harburn Realty Company,
Harding Drive Corporation,
Harlew Development Company, Inc.,
Harmony, Inc.,
Harold A. Berla, Inc.,
Harold Kaplan, Inc.,
Haros Realty Co.,
Harris Discount Company,
Harris Motor Corporation,
Harrison-Chandler, Inc.,
Harrison Holding Company,
Harris & Sorkin, Inc.,
Harris Wire Corporation,

Harry Kimmel, Inc.,
Harry Lustberg, Inc.,
Harry McCabe Realty Co.,
Harry Zuckman, Inc.,
Harvey Holding Company,
Haug Construction Co.,
Hawthorne Bakery, Inc.,
Hawthorne Cleaning and Dyeing Works,
Hawthorne Co., Inc.,
Hawthorne Mortgage Company, Inc.,
Haynes Ave. Super Service Station,
Hayward Motor Corporation,
Haywood Clothes, Inc.,
H. & B. Herman, Inc.,
H. C. Ambler Construction Co.,
H. D. Maclachlan, Inc.,
Headden Fuel & Oil Corporation,
Health Mineral Water Works,
Heap's Ice Cream Co.,
Hedwig Company,
Helenic Holding Company, Inc.,
Heliographic Research Corporation,
Hellertown Amusement Park Co.,
Help-Your-Neighbor Sales Plan, Inc.,
Helwig Welding, Inc.,
Hendershot Drug Co.,
H. E. Nelson & Company, Inc.,
Henkorn Company, Inc.,
Henrab Household Supply Co.,
Henry Brackman Realty Company,
Henry-Frederick Company, Inc.,
Henry S. Radcliffe, Inc.,
Henry W. Courtney & Co.,
Herbert Skinner, Inc.,
Hercules Holding Company,
Hercules Realty Corporation,
Herman Ahlfeld, Incorporated,
Herman L. Hamilton,
Hermann Silk Manufacturing Co.,
Hermans Men's Store, Inc.,
Hespe Realty Co.,
Hess Fuel Company, Inc.,
Heyman & Co. Inc.,

H. F. R. Realty Corporation,
H. G. Company, Inc.,
H. G. Evans, Inc.,
H. G. Uhler & Son, Inc.,
H. & H. Construction Co.,
H. H. Dierkes Co. Inc.,
H. & H. Dress Shoppe,
Hickory Realty Company,
Highland Securities Company,
Highlands, Long Branch, and Red Bank Steamboat Company,
Highton Realty Corp.,
Highview Poultry Farm, Inc.,
Highway Construction Co.,
Highway Supplies, Inc.,
Hi-Grade Bakery,
Hi-Grade Beverage Co.,
Hilger Realty Company,
Hill City Mortgage & Investment Co.,
Hill Corporation,
Hillcrest Homes Company,
Hillcrest Petroleum Co.,
Hillcrest Silk Mills,
Hillington Co.,
Hillsdale Lumber Co., Inc.,
Hillside Holding Co.,
Hillside Land Company,
Hillside Plastics Co., Inc.,
Hillstone Holding Co., Inc.,
Hilltop Realty Co.,
Hi-Lo Hardware, Inc.,
Hinze's Delicatessen, Inc.,
Hiram Company,
Hiram L. Fink, Inc.,
Hirsheys, Inc.,
H & I Trucking Company, Inc.,
Hi-Way Cleaners and Dyers Inc.,
H. J. Jaeger Pure Food Bakers, Inc.,
H. K. & D. Realty Co.,
H. K. Runyon, Inc.,
H. & K. Tailors & Cleaners, Inc.,
H. & L. Manufacturing Co.,
Hoboken Box Company, Inc.,

Hoffman-Gilbert, Inc.,
Hoffman-Lehrer Corporation,
Hohokus Bakery Inc.,
Holland Canadian Syndicate, Inc. of Trenton, New Jersey,
Holland Holding Company, Inc.,
Hollywood Horseshow Properties, Inc.,
Hollywood Inn,
Hollywood Memorial Park Inc.,
Holmes Realty Company, Inc.,
Home Builder of Nutley,
Home Building and Realty Co. of Long Branch, N. J.,
Home Construction Co., Inc.,
Home Electric Products Co.,
Home Restaurant Corporation,
Homes Beautiful, Inc.,
Home-Site Development Corporation,
Homestead Co., Inc.,
Home Underwriters Agency Inc.,
Hoonan Motors,
Hoover Realty Co.,
Hope Foundry & Machine Company,
Hopkins & Speer, Inc.,
Hormak Manufacturing Company,
Horn's Service Station,
Horrocks, Inc.,
Horst Bros., Inc.,
Hotel Belmont, Inc.,
Hotel James Inc.,
Hotel Lenox of Newark, Inc.,
Hotel Monmouth-In-The-Pines, Inc.,
House & Garden Development Corp.,
Howard Beverage Company, Inc.,
Howard Newark Ave., Inc.,
Howell Development Company,
Howe Paper Box Company,
Howland Towing Co.,
Howland Trucking Co.,
Howley Shoe Store, Inc.,
H. R. Hansen Realty Company,
H. Richard Sang, & Co., Inc.,
H. S. Chatfield Land Company,

H. Teplitzky Meat & Poultry Co.,
Hub Auto Supply Company,
Hubinger's Hardware, Inc.,
Hub Realty Corporation,
Hud-Mor Realty Company,
Hudson Bakeries, Inc.,
Hudson County Brew Distributors,
Hudson County Continental Motors, Inc.,
Hudson Dental Laboratory,
Hudson Drug Co.,
Hudson & Essex Holding & Construction Co.,
Hudson & Federal Holding Corporation,
Hudson Floor Covering Co., Incorporated,
Hudson River Land Co.,
Hudson Service Company,
Hudson Storage Warehouse Company,
Hudson Terrace Realty Company,
Hudson West Shore Realty Corporation,
Hudson Yelloway Lines, Inc.,
Hugo Doob, Inc.,
Hull Institute, Inc.,
Hunt & Trusheim, Inc.,
H. Van Iderstine Agency, Inc.,
H. V. Holman & Co.,
H. W. Lewis Sales Company, Inc.,
H. Wolsky, Inc.,
H. W. Pender, Inc.,
Hyatt Realty Corporation,
Hydrolectric Vulcanizer Co.,
Hygeia Corporation,
Hygenite Laboratories,
Hygrade Dairies Incorporated,
Hy-Grade Mattress Co., Inc.,
Hyman Diamond Ice & Coal Co.,
Hy-Test Lamp Works, Inc.,
Hyvac Radio Company,

I. A. Kurtz, Inc.,
Ida Holding Company,
Idalou Realty Company,
Ideal Coat, Apron and Towel Supply Company,
Ideal French Cleaners, Inc.,
Ideal Refrigerator Co.,

Idico Corporation of America, Inc.,
Idora Park Land Company,
I. E. F. Corporation,
I. E. Hutton, Incorporated,
I. Freedman & Son,
I. Gorman, Inc.,
I. H. & H. H. Amusement Corp.,
Imperial Beverage Corporation,
Imperial Carpet Co., Inc.,
Imperial Weaving Co. Inc.,
Imported Butterfly Art, Inc.,
Independent Cement Block & Material Company,
Independent Markets Inc.,
Index Realty Company,
Indian Coach Lines,
Indian Securities and Investment Corporation,
Individual Home Builders, Inc.,
Individual Laundry Service, Inc.,
Industrial Coatings Company,
Industrial Institute, Inc.,
Industrial Mortgage and Loan Company,
Industrial and Residential Sites, Inc.,
Ingersoll, Collier, Zoll & Norvell. (Inc.),
Ingram & Ingram, Inc.,
Ingram & Nevins, Inc.,
Inian Real Estate Company,
Initial Soap Co., Inc.,
Institute of Practical Accountancy,
Institute Realty Company,
Integrity Realty Company,
Inter-City Development Company,
International Cancer Institute, Inc.,
International Engineering Co.,
International Grocery Company,
International Holding Company of Garwood,
International Home Builders, Inc.,
International Laboratories, Inc.,
International Quoteoscope Co. Inc.,
International Slicing Machine, Inc.,
Interstate Bronze Arts, Inc.,
Interstate Heating Corporation,
Interstate Hotel Corporation,
Interstate Laundry,

Interstate Machinery Corp.,
Interstate Railways Company,
Inter-State Sign Co.,
Investment Associates, Inc.,
Investors Bond and Mortgage Co.,
Investors Economic Institute, Inc.,
Investors Holding Corp.,
Investors Service Corporation,
Iorio Contractors, Inc.,
Ira J. Bogart,
Ira R. Crouse Lumber Co.,
Iron Bound Fur Dressing Corp.,
Ironbound Investments, Inc.,
Ironbound Laundry Co. Inc.,
Irving Levine & Co.,
Irving Place Theatrical Corporation,
Irvington Painting & Decorating Corp.,
Irvington Quality Market,
Irwin Myers, Inc., of Steelmanville, N. J.,
Isaac D. Alster & Son, Inc.,
I. Seymour Crane, Inc.,
Isis Theatre Company,
Island Beach Shores Company,
Island Cleaners and Dyers,
Island Fertilizer Company,
Israel Max & Sons, Inc.,
Italian and French Bakers Association of Northern New Jersey, Inc.,
Ivy Holdings, Inc.,

Jack Curley Speedways, Inc.,
Jackin Company,
Jack Kolba, Inc.,
Jack's, Inc.,
Jackson Avenue Realty Co.,
Jacksonfield Radio, Incorporated,
Jackson Paint and Wallpaper Center Inc.,
Jacob Ginsburg & Co.,
Jacobi's Products, Inc.,
Jacob Wiegel, Incorporated,
Jacquelin Pyle Preparations, Inc.,
J. A. Duber Chemical Co.,
Jak, Incorporated,

James A. Berry, Inc.,
James Air Brake Company,
James C. Moran, Inc.,
James C. Sapienza, Inc.,
James Duffy Realty Co.,
James F. Caffrey & Son, Inc.,
James F. Dalton & Co.,
James J. Faulkner, Inc.,
James L. Bried Construction Co.,
James Realty Company,
James S. Harris Real Estate Company,
James W. Pittinos, Inc.,
Jane's Candies,
Japan Import Company, Inc.,
Jaroff & Schwartz, Inc.,
Javas Baking Co., Inc.,
Jay Hardware Co. Inc.,
Jay-Kay Holding Co., Inc.,
Jays Bootery, Inc.,
J. B. Firmin Inc.,
J. C. Koster, Inc.,
J. D. Land Company, Inc.,
Jean Holding Company,
Jefferson Investment Corporation,
Jefferson Park Realty Company,
Jefferson Pharmacy, Inc.,
Jefferson Securities Corporation,
Jeff-West Realty Co.,
Jensen Bros. Company,
Jernco, Inc.,
Jernstedt and Company, Inc.,
Jerome Holding Corp.,
Jerry Simon, Inc.,
Jersey Avenue Development Co.,
Jersey Beverage Distributors Inc.,
Jersey City Land & Improvement Company,
Jersey Coach Co., Inc.,
Jersey Distilleries,
Jersey Distributors Incorporated,
Jersey Dresses, Inc.,
Jersey Farm Products, Inc.,
Jersey Giant Restaurant, Inc.,
Jersey Investment Company,

New Jersey State Library

Jersey Italo-America Phono Film Company, Inc.,
Jersey Powder Company,
Jersey Realty Company,
Jersey Royalty Co.,
Jersey Silk Sales Corporation,
Jersey Straw Works, Inc.,
Jerwill Finance Corporation,
Jesse A. Howland & Sons, Inc.,
Jewelers Specialty Company, Inc.,
Jewellers' Agency,
Jewel Safe-Desk Corporation,
J. & F. Inc.,
J. Heidingsfeld Company,
J. Heir & Co. Inc.,
J. Heit, Inc.,
J. Howard Coombs Lumber Company,
Jiggers Corporation of America,
J. J. Murphy Brewing Co.,
J. J. Wilson Seed Company, Inc.,
The J. Kramer Company Inc.,
J. & M. Amusement Corp., Inc.,
J. N. Moy Pretzel Co., Inc.,
Joan Frocks, Inc.,
Joe's Dairy, Inc.,
John Allen Inc.,
John Black & Son, Inc.,
John C. Morris, Inc.,
John Cosseta & Sons, Inc.,
John E. Muller's Sons, Inc.,
John E. Watson, Inc.,
John F. Murray Co.,
John F. Norman Carpet Co.,
John G. Ford Realty Company, Incorporated,
John Greife Coal Company,
John H. Gatchell, Inc.,
John J. Bean, Inc.,
John J. Matthews, Incorporated,
John Lammerding Company,
John M. Bell, Inc.,
John M. Rutala, Inc.,
John Ninivaggi & Son,
John Reilly—Company,
John Repp Fruit Company, Inc.,

Johnson Avenue Apartments Inc.,
Johnson Ave., Corporation,
Johnson Plumbing & Heating Co., Inc.,
John Svenson & Co., Inc.,
John S. Wright Company,
John T. Coyle, Inc.,
John W. Coyle, Inc.,
John White Agency, Inc.,
Jolbert Corporation,
Jones & Hansen, Inc.,
Jontiel Realty Company, Inc.,
Joralemon Land Company,
Joseph A. Luby Co.,
Joseph Burgard Agency, Inc.,
Joseph E. Mirandon, Incorporated,
Joseph Flora, Inc.,
Josephine LeFevre Co.,
Josephine Peroh, Inc.,
Joseph J. Polewka and Sons, Inc.,
Joseph Kinzley Company,
Joseph Krieg-Fink Company,
Joseph Messina Inc.,
Joseph P. Smith, Inc.,
Joseph Roth, Inc.,
Joseph Russomanno Realty Corporation,
Joseph's Beauty Parlour,
Joseph Sutowski, Inc.,
Joseph Volpe & Son, Inc.,
Journal Square Baking Co.,
Journal Square Tavern Inc.,
J. P. Bathing Co., Inc.,
J. P. B. Holding Co., Inc.,
J. P. L. Corporation,
J. P. Murphy, Inc.,
J. P. Ness Construction Co.,
J. R. McCardell & Co.,
J. R. & M. C. Fusco, Inc.,
J. S. B. Realty Corporation,
J. T. Realty Co. Inc.,
Judtin Holding Co., Inc.,
Jules Ledwitz Inc.,
Jules Taylor, Inc.,
Julia Holding Co., Inc.,

Junction Lumber Company,
Junior Order Building Association of Bergenfield Inc.,
J. Weiner & Co. Inc.,

Kaden's Drug Store,
Kadison Studios, Inc.,
Kamm Securities Inc.,
Kanter Cloak Co., Inc.,
Kanter & Kanter Silk Corp.,
Kantor's Gowns Inc.,
Kantor's Inc.,
Karl Kniep, Inc.,
Karpinski Realty Co.,
Karrakis, Inc.,
Kartch's Children's Wear, Inc.,
Katharmon Chemical Company of New Jersey,
Kator Silk Corporation,
Kawe Holding Co.,
Kawut Paper Company,
Kaybee Associates,
Kay Clothing Co., Inc.,
Kay Furniture Co., Inc.,
Kay and Kay Dental Laboratories,
Kay Products Company, Incorporated,
Kayshore Corporation,
K & B Trucking Co., Inc.,
Kearny Investment Company,
Keave Supply Co.,
Keen Plastering Company,
Keetone Finance Corporation,
Keller Lewis & Co., Inc.,
Kellerman's Taxi Service, Inc.,
Kelson Realty Corporation,
Kenapac Drug Stores,
Kendall Boulevard Corporation,
Kenilworth Fish & Game Club,
Kenmore Corporation,
Ken Realty Co.,
Kent and Woodland Company,
Kereigh Head Super Service, Inc.,
Kern & Tracy, Inc.,
Kesselman, Inc.,

Kessler Trucking Co.,
Keystone Coal & Fuel Co.,
K. G. R. Holding Co.,
K. & G. Silk Co.,
Kiddie Amusement Company,
Kiersted Realty Company,
Kindler Wine & Liquor Co., Inc.,
Kings Realty & Investment Company, Inc.,
Kingston Quarry Company, Inc.,
Kingsway Auto Service, Inc.,
Kiori Corporation,
Kitchenette Food Products, Inc.,
Kleinfeld Furniture Corporation,
Klein & Mauger, Inc.,
Klein's Garage, Inc.,
Klem Sales Corp.,
Klick-Top Sales Corporation,
Klifton Butter & Eggs, Inc.,
K. & M. Trucking Company,
K. N. Gamble, Inc.,
Knickerbocker Foods, Inc.,
Knickerbocker Grill,
Knoll Manor,
Kochbet Realty & Holding Co., Inc.,
Koharco, Inc.,
Kohrs-Chevrolet, Inc.,
Kokosing Holding Company,
Kolodin, Inc.,
Kosmos Holding Corporation,
Kotok & Turetsky, Inc.,
Kouri Carpet Cleaning Corporation,
Kranatco, Inc.,
Krasner Realty Corporation,
Kraus Realty Company,
Kraus Restaurant,
Kuhles Company, Incoporated,
Kuiken Bros. Lumber Corporation,
Kupperman & Silver,
K. & W. Realty Co. Inc.,
La Belle Ice Cream and Candy Co.,
La Casa Incorporated,
La Charme, Inc.,
Lacki Export Realty Company,

Ladds, Inc.,
Lady Fair Cosmetics, Inc.,
Lafayette Hall Association,
Lafayette Land & Improvement Company,
Lafayette Rug Cleaners,
Lafer's Inc.,
La Gloria Cemetery Association,
Laiks Shoes, Inc.,
Lake Avenue Holding Co. Inc.,
Lake Edenwold, Inc.,
Lake Grinell, Inc.,
Lake Manahawkin Country Club,
Lake Realty Company,
Lake and Risley Company,
Lakes Sportswear Shop,
Lake Waterloo Estates Land & Developing Company,
Lakewood Farm Lands Company,
Lamark Holding Company,
Lambert Tire Co., of N. J.,
Lamb & Wolff, Inc.,
La Mode Shoes, Inc.,
Lamp Associates, Inc.,
Landlords Securities Corporation,
Land O' Lakes Investment Co., Inc.,
Lang, Inc.,
Langold Realty Company,
Lanza Silk Dyeing Company,
La Roma Importing Co., Inc.,
La Salle Investment Co. Inc.,
Latherole Distributing Company,
Laural Holding Corporation,
Laurello Realty Co., Inc.,
Laurel Springs Park Co.,
Laurelton Realty Company,
Lavender Hall Corporation,
Lavora Improvement Company, Inc.,
Lawn Realty Company,
Lawrence Brokerage Company, Inc.,
Lawrence, Jost & Co.,
Lawrence Silk Corporation,
Lawton Trucking Company,
Lawyers Investment Company,

Lawyers State-Wide Title Co.,
L. Carollo Pharmacy, Inc.,
L. C. Borrows, Inc.,
Leading Fruit Stores,
Leah Frocks, Inc.,
Lea Sport Shoppe Inc.,
Lebanon Paradise Home Corporation,
Lec Holding Corporation,
Leffingwell Products, Inc.,
Legion Barber and Beauty Shop,
Lehds Inc.,
Lehigh Construction & Engineering Co., Inc.
Lehman & Eurman Co.,
Lehr Auto Corp.,
Le Maistre's,
Lembeck-Betz-Eagle-Brewing Corporation,
Lemnos Importing Co., Inc.,
Lendman Tire Co.,
Lenox Development Company,
Lenox Laundry, Incorporated,
Lenox Realty Company,
Lensid Company,
Lented Apparel Co., Inc.,
Lentz Realty Co.,
Leonard Co.,
Leonard Specialty Shop, Inc.,
Leon Ernst, Inc.,
Leon F. Hirsch & Son, Inc.,
Leonia Heights Investment Co.,
Leon Realty Company, Inc.,
Lepore Brothers,
Lerman Furniture Galleries, Inc.,
Lerman & Son Holding Co.,
Lerner Realty Co.,
Leslie Building Company,
Leslie Investment Company,
Levine & Gelfand, Inc.,
Levine's, Inc.,
Levman Realty Co.,
Lewis Baby Carriage Supply Company, Inc.,
Lewis G. Geberd, Inc.,
Lewis H. Ryon & Co., Inc.,
Lezor, Inc.,

L. & G. Beverages, Inc.,
Liberty Corners Realty Co. Inc.,
Liberty Express & Storage Co.,
Liberty Neon Corporation,
Liberty Realty Company,
Libmor Realty Corporation,
Liddle & Pfeiffer Lumber Co.,
Lido Piece Dye Works, Inc.,
Lillyan Inc.,
Lilyknit Underwear Co., Inc.,
Lincoln-Allen Realty, Co., Inc.,
Lincoln Grocery & Meat Market,
Lincoln Heights Estates,
Lincoln Holding Co., Inc.,
Lincoln Investment and Holding Company,
Lincoln Park Estates Inc.,
Lincoln Realty Corporation,
Lincoln Tavern, Inc.,
Lindbergh Realty Corporation,
Lindenbrook,
Linden Novelty Co., Inc.,
Linden Optical Corporation,
Lindens,
Lining Store,
Link & Angell,
Linker Realty Corporation,
Lino Royalties, Inc.,
Linum Company of America, Inc.,
Lion Agency,
Lion Petroleum Company, Inc.,
Lion Shoe Store,
Lippman's Auto Stores, Inc.,
Lissner's, Inc.,
Lithuanian Holding Company, Inc.,
Little Falls Pharmacy,
Little Harlem, Inc.,
Little Red Schoolhouse, Inc.,
Little Shop No. 2,
Little Theatre, Inc.,
Livingston Pharmacy, Inc.,
Llanymor Operating Company,
Llewellyn Theatres, Inc.,
L. L. Jones & Sons, Inc.,

Lloyd W. Casner, Inc.,
L. Meyer and Company,
L & M Hardware Corp.,
L. & M. Merchandising Corp.,
Lobster-Oyster & Chop House,
Local Capital Corporation,
Local 825 Holding Co.,
Lockhart-Richards, Inc.,
Lodi Trading Company,
Loeb & Wasch Co. Inc.,
Lofland Realty Co.,
Log Cabin Store, Inc.,
London Fur Co., Inc.,
London Realty Company,
Long Branch Auto Co.,
Lord's Dress Shops, Inc.,
Louis Elting, Inc.,
Louis Engler & Son, Inc.,
Louis' Farm Inn,
Louis Kamm, Inc.,
Louis Kurinsky, Inc.,
Louis Pennitch Co.,
Louis Peters, Incorporated,
Louis P. Moglia, Incorporated,
Loveland & Dreher, Inc.,
Lower Forge Corporation,
Loxon Products, Inc.,
L. S. Grant, Inc.,
L & S Service Station, Inc.,
L. & S. Shirt Co., Inc.,
L. T. Hallock and Son, Inc.,
L. T. V. Realty Co.,
Ludy Hotel Corporation of Atlantic City, New Jersey,
Luilano Holding Company, Inc.,
Lutherland Conference Hotel Corporation,
Lutz Motor Company,
Lyceum Garage Inc.,
Lydecker Holding Co.,
Lynn Haven Co.,
Lynn Realty Corp.,
Lyons Tire Service, Inc.,

Mabel R. Burt, Inc.,
Maccar Newark Sales Corporation,
Macchi & Co.,
Macgal Safety Device Corp.,
MacGarvey Studios, Inc.,
Madden Holding Company,
Madison Fur Dressing Co., Inc.,
Madison Securities Corporation,
Madison Silk Manufacturing Co.,
Madonie Loan Association,
Maharba Apartments, Incorporated,
Maid-Rite Coat Co.,
Maier, Rich & Co.,
Maier Sign Corporation,
Mailing List and Letter Service, Inc.,
Mail Order Press Inc.,
Main Central Hotel & Cafeteria, Inc.,
Main Fruit Exchange, Inc.,
Maintenance Incorporated,
Majeda Holding Company,
Majestic Associates, Inc.,
Majestic Construction Corp.,
Majestic Diner,
Malcolm Pants Co.,
Manchester Bond & Mortgage Corporation,
Mandes Realty Co., Inc.,
Mandon Distributing Company, Inc.,
Mandon Holding Corp.,
Manhattan Buckle Co., Inc.,
Manhattan Chain Stores, Inc.,
Manhattan Distributing Co., Inc.,
Manhattan Laundry, Inc.,
Manhattan Mercantile Corporation,
Manhattan Palisades Corporation of New Jersey, Inc.,
Manning Freeman and Son Incorporated,
Manny's, Inc.,
Mansion House, Inc.,
Mantel Realty Company,
Manufacturers Consumers, Inc.,
Manufacturers' Mortgage Loan Corporation,
Manumuskin Sand Company, Inc.,
Manville Department Store,

Manville Draperies, Inc.,
Mapa Holding Corp.,
Maple Hotel, Inc.,
Maple Land Company,
Maple Leaf Realty Company,
Maple Pharmacy, Inc.,
Maple Realty Company No. 1,
Maple Shade Finance & Mortgage Co.,
Maple Terrace Realty Company,
Marbleloid Company,
Mardean Realty Company,
Maresca Motors, Inc.,
Margate Realty Company,
Margel Holding Co.,
Marge of Monmouth Company,
Maria-Leo Realty Co., Inc.,
Mariette Gift Shop, Inc.,
Marilynn Specialties, Inc.,
Marine Foods, Inc.,
M. A. R. Investment Company, Inc.,
Marjack Specialty Co., Inc.,
Market Realty Company,
Market Restaurant, Inc.,
Markob Realty Co.,
Marko Holding Company,
Marne Realty Company,
Marquis Wines, Inc.,
Marrow's Garage, Incorporated,
Marsan Laboratories, Inc.,
Marseil of South Orange, Incorporated,
Marshall Mills,
Martha Silk Mills,
Martha's Kitchen, Inc.,
Martin Allman & Sons, Inc.,
Martin F. Kelly, Inc.,
Martin Transportation Inc.,
Marvel Curtain Stores, Inc.,
Mary Vitolo, Inc.,
Masonry Unit Sales Company,
Massarelli Pharmacy,
Mass Products, Inc.,
Master Cleaners & Dyers, Inc.,
Master Made Garments, Inc.,

Matanna Realty Co.,
Matawan Lake Committee, Incorporated,
Mathis-Davis Company,
Ma-Tim, Inc.,
Matthews Corporation,
Mattinson Health Foundation, Inc.,
Maude Scott Company,
Ma-Vic Cigar Co., Inc.,
Maxanson Realty Co.,
Max Bendix, Inc.,
Max Damm Company, Inc.,
Max Goldfarb, Inc.,
Max Katz, Inc.,
Max Kean, Inc.,
Max Kupersmith Pharmacy, Inc.,
Max Seyfried and Son, Inc.,
Max Shiffman, Inc.,
May Bros. & Co. Inc.,
Mayer Berman, Inc.,
Mayfair Holding Company, Inc.,
Mayfeld Investment Company,
Mayland Realty Corporation,
Maymont Realty Co.,
May's,
Mays Apparel Stores, Incorporated,
Mays Land Company,
Maywood Hardware Company, Inc.,
Maywood Land Company,
M-B-H Land Corporation,
M and B Land Company,
M. B. & S. Company, Inc.,
McAllister Manufacturing Company,
McCann Building Co., Inc.,
McClellan & Son, Inc.,
McCollom & Jack, Inc.,
McCollom and Post Company,
McCracken Dairy Company,
M. C. G. Holding Co.,
McKinley Holding Company,
McManus Bros. Inc. of Morristown, N. J.,
McNeal Mining Company,
M. Corporation,
McRae Realty and Construction Co.,

Meadowbrook Homestead, Inc.,
Mears Flowers, Inc.,
M. E. Friedlander, Inc.,
Meiners-Demarest Realty Corp.,
Meisselbach, Catucci Manufacturing Company,
Melarts Bootery, Inc.,
Mellara Realty & Construction Co.,
Mellins, Inc.,
Mello Corporation,
Melrose Hall Hotel Co.,
Melville H. & F. E. Lyman, Inc.,
Men's Shop of East Orange, Inc.,
Mercantile Investment Corp.,
Mercer Junior College,
Mercer Pottery Company,
Mercer Sand & Gravel Co., Inc.,
Mercer Street Market, Inc.,
Merchants & Manufacturers Securities Company,
Merchantville Mortgage Co., Inc.,
Merchantville Park Extension, Inc.,
Mercury Paint and Varnish Corporation,
Metabolic Institute,
Metal Carbides Company,
Metal Folding Chair Company, Inc.,
Meter-Radio Corp.,
Metropolis Publishing Company,
Metropolitan Co-Operative Realty Company of New Jersey,
Metropolitan Distributing Company of New Jersey,
Metropolitan Garage, Inc.,
Metropolitan Ice Cream Novelties Corporation of New Jersey,
Metropolitan Liquor Distributors, Inc.,
Metro Service Stations, Inc.,
Meyerhoff Associates, Inc.,
Meyers, Inc., No. 1,
M. Heir and Son, Inc.,
Michael's Furniture, Inc.,
Michel Distributing Co.,
Middlesex Barrel Co.,
Middlesex Garage and Bus Co., Inc.,
Middlesex Ice & Cold Storage Company,

Middlesex Mortgage Company,
Middleton Trucking Co.,
Mid-Jersey Construction Co.,
Midland Farm Products Co.,
Midland Tube and Pipe Company,
Midtown Beef and Provision Co., Inc.,
Midway Corporation,
Milbrod Realty Corporation,
Milburn Corporation,
Milk Bottlers Federation of Atlantic City, Inc.,
Millbank Bleachery,
Mill Creek Mining & Milling Company,
Miller's Gift Shop, Inc.,
Milltown Heights Inc.,
Milmor Silk Corp.,
Milner Holding Co., Inc.,
Milton Lake Manor Company,
Mink Holding Corp.,
Minwix Company,
Miquan, Inc.,
Miriam Realty Co.,
Miss Atlantic City Speedcraft Inc.,
Mitschele & Baer, Inc.,
Mittelman's, Incorporated,
Mizrakjian Realty Corp.,
M. J. Schutzman Drug Co.,
M. Klahr and Co.,
M. and M. Trucking and Forwarding Company,
Mocotan Company,
Model Trucking Company,
Modern Cleaning & Dyeing & Tailoring Shop,
Modern Construction Company,
Modern Electric Refrigeration Co., Inc.,
Modern Garage & Auto Laundry Inc.,
Modern Lighting Fixture Co.,
Modern Medical Associates,
Modern Motor-Freight, Inc.,
Modern Oil Heating Corporation,
Modern Plumbers Supply Co.,
Modern Pure Food Dairy Incorporated,
Modern Salons, Inc.,
Moe Hellman Tire Company, Inc.,
Moeltner Company, Inc.,

Mohawk Company,
Molly Holding Co.,
Monarch Holding Company,
Monarch Motor Service, Inc.,
Monarch Oil Company,
Monarch Specialties Corp.,
Monaster Investment Company,
Monmouth Collection Service,
Monmouth Contracting Company,
Monmouth County Duck Ranch, Inc.,
Monmouth Distributing Co.,
Monmouth Drygoods Corporation,
Monmouth Furniture Corporation,
Monmouth Investment Corporation,
Monmouth Marathon Amusement Company, Inc.,
Monmouth Motor Transportation Co. Inc.,
Monmouth Park Land Company,
Monmouth Secret Service,
Monmouth Title Company,
Monroe Construction Co., Inc.,
Montbrook Realty Corp.,
Montclair Brown & White Taxi Co.,
Montclair Food Shop, Inc.,
Montclair Land and Improvement Company,
Montclair Mountain Estates, Inc.,
Montgomery Fuel Co.,
Montgomery Industrial Mills, Incorporated,
Montgomery Paper Box Manufacturing Company,
Montgomery Taylor Corporation,
Monticello Development Company,
Montrose Estates,
Montvale Homes Incorporated,
Moon Clay and Kaolin Company,
Mooney's Express and Warehouses, Inc.,
Moore & Merson Transportation Co.,
Moore's, Inc.,
Moorestown Bowling Alleys, Inc.,
Moorland Empire Corporation,
Morben Realty Company,
Morehouse Patton Co.,
More Land Corporation,
The Morelos Corporation,
More-Power Line, Inc.,

Morgan Air Lines,
Morgan Holding Company,
Morgreen's Luggage Shops,
Morningside Company,
Morrell's Reed & Fiber Co., Inc.,
Morris A. Stein Candy Co. Inc.,
Morrison-Barnes, Inc.,
Morris Park Development Company,
Morris Specialty Manufacturing Company,
Morris Textile Corp.,
Morristown News & Printing Company,
Morrow-Jenkins, Inc.,
Morse & McCarthy, Inc.,
Morse's Pharmacy, Inc.,
Mortgage Funding Corporation,
Morton Holding Company,
Morton's,
Mosaic Tile & Terrazzo Corp.,
M. O. Sarokin, Inc.,
Motion Picture Advertising Corp.,
Motor Forwarding Co.,
Motor Masters, Inc.,
Motor Parkway Inc.,
Motor Transport Underwriting Agency, Inc.,
Mountain Investment Company,
Mountain Parks, Inc.,
Mount Holly Construction and Development Company,
Moy Holding Corporation,
M. Reichman and Sons,
M. & R. Land Company,
M. Schoenberg, Inc.,
M. S. Holding Co., Inc.,
Muchmore & Sheehan Inc.,
Multi-County Amusement Corporation,
Municipal Engineering Advisory Corp.,
Municipal Food Markets of New Jersey,
Municipal Meat Market Inc.,
Municipal Motor Company,
Munn and Central Seafood Corp.,
Munro Speedways, Inc.,
Munson Dye Works,
Muscle Shoals Realty Associates,

Mutual Benefit Investment Company,
Mutual Credit Finance Co.,
Mutual Dairies, Inc.,
Mutual Distributing Corporation of New Jersey,
Mutual Mill Supply Co.,
Mutual Realty & Investment Co.,
Mutual Sales Corporation,
M. Wahl & Son, Inc.,
M. W. Puzio Bros. Inc.,
M. W. Thomas Distributing Co. Inc.,
Myron Company,
Mysto, Inc.,

Naborhood Finance Corporation,
Nagel Candy Co.,
Namreh Corporation,
Naomi Realty Corp.,
Napthalene Refineries, Inc.,
Narrow Fabrics Machine Co.,
National Cabinet and Novelty Company,
National Confectioners Corp.,
National Credit Service, Inc.,
National Docks & Terminals,
National Elevator Accessories, Corporation,
National Family Magazine Service Corporation,
National Flexible Safety Ladder Company,
National Holding Co.,
National Importing Co.,
National Mop-Wringer Corporation,
National Realty & Mortgage Company,
National Rebate Association,
National Slipper Company,
National Sound Systems Inc.,
National Trading Corporation,
National Walkathon Company, Inc.,
Natrebla Realty Co., Inc.,
Nat's Brass Rail, Inc.,
Nauset Cotton Corporation,
Na-Vita Manufacturing Corporation,
Neb Holding Co.,
Negro Home and Improvement Company of Ridgewood, N. J.,
Neighborhood Improvement Company,

Neighborhood Realty Co.,
Neillen Studios, Inc.,
Neilley & Kosik, Inc.,
Neithold Brothers, Inc.,
Neon Lighting Corporation,
Neptune Investment Company,
Neptune Produce Co., Inc.,
Nero Exterminators, Inc.,
Nerraf Co.,
Netherwood Corporation,
Newark Arena, Inc.,
Newark Auto School, Inc.,
Newark Avenue Holding Co.,
Newark Base Ball & Exhibition Company,
Newark-Beach Co.,
Newark Beverage Co., Inc.,
Newark Concrete Pipe Co.,
Newark Diabetic & Metabolic Institute, Inc.,
Newark Distillers & Rectifiers, Inc.,
Newark Distributors, Inc.,
Newark Eagle Realty Corporation,
Newark Galvanizing Company,
Newark Lamp & Shade Manufacturing Co., Inc.,
Newark Pad Co.,
Newark Pen Co.,
Newark Sales Company, Inc.,
Newark Special Products Corporation,
Newark Stove Company,
Newark Street Holding Co.,
Newark St. Improvement Company,
Newark Studio Couch & Bedding Co.,
Newark Theatrical Corporation,
New Art Amusement Co.,
New Born Ice Cream and Lemon Ice Co.,
New Bowling Casino, Inc.,
New Brunswick Beverage Company,
New Brunswick Food Center, Inc.,
New Brunswick Grocery Co., Inc.,
New Co-Zee Homes, Inc.,
New Dorp Dairy, Inc.,
Newell C. Shepard, Incorporated,
New England Guild Distributing Corporation,
New Era Finance Company,

New Garrick, Inc.,
New Jersey Appetizing Co.,
New Jersey Appraisal Company,
New Jersey Ash & Garbage Removal Co.,
New Jersey Athletic Enterprises, Inc.,
New Jersey Baking Company,
New Jersey Bankers, Inc.,
New Jersey Cabinet and Mill Company,
N. J. Cinder Products Corporation,
New Jersey Copper Screen Company,
New Jersey Crime Investigating Bureau,
New Jersey Dock & Terminals,
New Jersey Garagesites Corporation,
New Jersey Health Center,
New Jersey Housing and Contracting Company,
New Jersey Hygrade Fuel Company,
New Jersey Industries Corporation,
New Jersey Mortgage Funding Corp.,
New Jersey Oil Heater Corporation,
New Jersey Porch Enclosure Co.,
New Jersey Realty Salvage Co.,
New Jersey Sales Corporation,
New Jersey Salvage Corporation,
New Jersey Sash, Door & Trim Co.,
New Jersey Ship Building and Dredging Company,
New Jersey Society Record, Inc.,
New Jersey Specialty Co.,
New Jersey Standard Wet Wash, Inc.,
New Jersey Stove & Range Co.,
New Jersey Tex Company,
New Jersey Type Founders,
Newmark Bros. Inc.,
Newnak Realty Company,
New Paterson Fur Dressing & Dyeing Co. Inc.,
Newport Auction Market Inc.,
New Roma Loan Association,
New Standard Aircraft, Inc.,
Newton B. Smith, Inc.,
Newton Department Store, Inc.,
Newton Furniture Co.,
New Washington Theatre,
New Way Coach Company, Inc.,
New York Grocery Co., Inc.,

New York and New Jersey Beef and Provision Company,
New York & New Jersey Corporation,
New York Produce Market,
N. Greenspan, Inc.,
Niagara Realty Company, Inc.,
Nicholas Ronca, Inc.,
Nip & Sip, Inc.,
Nira Agency, Inc.,
Nira Amusement Co.,
Nitrica Realty Co., Inc.,
Nobbe Kaphan Company,
Nobiletti Company, Inc.,
Noblit Bros. and Company,
Noinu Investment Co.,
Norbert Bertl, Inc.,
Norfolk Auto Wreckers, Inc.,
Norfolk Holding Company,
Norfolk Wreckers, Inc.,
Normandie Realty Corporation,
Norman Foster Company,
Norris Startzman, Inc.,
North American Investment Co. Inc.,
North American Millinery Corporation,
North Bergen Tile Co. Inc.,
North Cape May Electric Power Co.,
North Cape May Lido Beach Corporation,
Northern New Jersey Home Building & Contracting Company,
Northern New Jersey Mortgage and Investment Co.,
Northern Valley Contractors, Inc.,
Northern Valley Glass & Paint Co.,
Northfield Suburbs Company,
North Hudson Hotel & Restaurant Supply Co.,
North Hudson Manufacturing Company,
North Hudson Realty Company,
North Italian Corp.,
North Jersey Aeroland Corporation,
North Jersey Finance Corporation,
North Jersey Oil Corporation,
North Jersey Specialty Co.,
North Jersey Supply Company, Inc.,

North River Warehouse Company,
Northside Apartment-Hotel, Inc.,
North Star Lodge of I. O. G. T. Holding Co.,
Northwestern Realty Company,
North Wildwood Sportland Company,
Norton-Latham Co., Inc.,
Norwood Country Club,
Norwood Spa, Inc.,
Nosan Realty Co.,
Nova Realty Co.,
Novelty Distributing Co.,
Novelty Photopose Co.,
Novelty Shawl Co.,
Novelty Specialties Corporation,
N. Turteltaub, Inc.,
Nu-Dome Radio Tube Corporation,
Nu: Enamel, Inc.,
Number One Corporation,
No. 11 Broadway Realty Co.,
Nutria Realty Co., Inc.,
Nye Realty Company,
N. Y. M. Holding Co.,

Oakmont Refrigerating Company,
Observer Realty Company,
Ocean Beverage Co., Inc.,
Ocean City Dancing Studio,
Ocean City Laundry Company,
Ocean Enterprises, Inc.,
Oceanic Hotel, Inc.,
Ocean Pier Fish Market Company,
Oceanport Park, Inc.,
Ocean Terrace Corporation,
O. C. H. Products Company,
Octa Manufacturing Company,
O. E. H. Realty Company,
O. & F. Realty Corporation,
Oil Burner Corporation of New Jersey,
Oil Heating & Appliance Co.,
Oil Reclaiming Corporation,
Oil Re-Refining Company,
O. J. Boyle Son,
Old Bridge Supply Company, Inc.,

Old Caribbean Corporation,
Old Colony Coal Mining Company,
Old Colony Markets, Inc.,
Old Country Cordials Company, Inc.,
Old Vienna Restaurant, Inc.,
Olga Realty Company, Inc.,
Olin Street Market, Inc.,
Oliver and Drake Co. of Elizabeth, N. J.,
Oliver Relish Products, Inc.,
O. L. Johnston, Inc.,
Opperman's Markets, Inc.,
Opper Realty Co. Inc.,
Oradell Gardens, Inc.,
Orange Amusement Corporation,
Orange Brewery,
Orange Building Company,
Orange Hardware Co., Inc.,
Orange Lumber Supply Company,
Orange Manufacturing Co.,
Orange Mountain Land Company,
Orange Rollerdrome, Inc.,
Oraton Service Incorporated,
Orchard Park Association, Inc.,
Oreous Real Estate Company,
Oriental Realty Company,
Orient Investment Company,
Orpheum Pharmacy, Inc.,
Osborne, Inc.,
Oscar H. Newman Motor Company, Inc.,
Ott Holding Corporation,
Otto C. Reith, Incorporated,
Otto Frantzen Co.,
Otto, Incorporated,
O. V. D. Corporation,
Overhead Reduction Engineers,
Overhill Corporation,
Overpeck Realty Company,
Owners Homes,
O. W. Young, Inc.,
Ozer Realty Co.,

Pacific Food Markets, Inc.,
Pacific Oil Company,

Paddy's Restaurant, Inc.,
Paikin's Paint Supply Co.,
Paine Realty Co.,
Paint Products Corp.,
Paint Supply Company, Inc.,
Pajonk Embroidery Works, Inc.,
Palace Amusement Co.,
Palace Tavern,
Palisades Realty and Amusement Company,
Palmer, Gwyer Co.,
Pamor Corporation,
Pams, Inc.,
Panorama Land Company,
Paper Box Corporation of New Brunswick,
Paragon Grill, Inc.,
Paragon Trucking Corp.,
Paramount Bakery, Inc.,
Paramount Beverage Co., Inc.,
Paramount Cleaners and Dyers of New Jersey,
Paramount Clothes, Inc.,
Paramount Grill, (No. 2),
Paramus Company, Inc.,
Paramus Realty Company,
Pardes Hagdud, Inc.,
Parfait Mfg. Co., Inc.,
Par Holding Corporation,
Paris Baking Company, Inc.,
Parisian Cleaners & Dyers, Inc.,
Park Apartment, Inc.,
Park Auto Repair and Service Station, Inc.,
Park Club,
Park Delicacies, Inc.,
Park Distributing Co., Inc.,
Parker Furniture and Merchandise Co.,
Park Estates, Inc.,
Park Inn, Inc.,
Park-In-Theatres, Inc.,
Park-Ninth Company,
Park Place-Centre Corporation,
Park Place Market Inc.,
Park Realty Company,
Park-Teed-Homesteads Inc.,
Parkway Garage, Inc.,

Parlin's Pharmacy, Inc.,
Partridge Holding Co.,
Pascack Stables, Inc.,
Passaic Appetizing Co.,
Passaic-Bergen Welding Works,
Passaic County Abstract Company,
Passaic County Cleaners & Dyers, Inc.,
Passaic County Coal and Stoker Corporation,
Passaic County Distributing Company,
Passaic Real Estate Improvement Co.,
Passaic Realty Development Company,
Passaic Red Devils, Inc.,
Passaic Stove & Plumbing Supply Co., Inc.,
Passaic Textile Mill,
Passloff & Barnett, Inc.,
Patented Novelties, Inc.,
Paterson Automobile Trade Association,
Paterson Fruit Co., Inc.,
Paterson Packard Company,
Paterson Sash and Door Co.,
Paterson Table & Fixture Co.,
Paterson Wood Turning Company,
Pathfinder Shipping Company,
Pat Masella Sport Wear Manufacturing Company, Inc.,
Patrician Beauty Shop,
Patrick Connelly, Inc.,
Patterson Company,
Paul G. De Ronde Co., Inc.,
Pauline Realty Company,
Paul Rothman Corporation,
Paul Ruinart Company of America,
Paulsboro Holding Co.,
Paulsen Building Corporation,
Pavonia Land and Investment Company,
Pavonia Realty Company,
P. B. L. Holding Company,
Pearl Weighing Scale Co., Inc.,
Peerless Baking Co.,
Peerless Blade Corporation,
Peerless Holding & Investment Co.,
Peerless Household Products, Inc.,
Peerless Plush Manufacturing Co.,

Peerless Service Co.,
Pegleg's Pals, Incorporated,
Pelane Investment Corporation,
Pelican Island Shores, Inc.,
Penchansky & Son Realty Corporation,
Penek's Flowers, Inc.,
Penetro Chemical Company,
Peninsula Realty Company, Inc.,
Pennell Construction Company, Inc.,
Pennington Dairy Farms, Inc.,
Penn Jersey Building Company,
Penn-Jersey Distributors, Inc.,
Penn-Jersey Drug Stores, Inc.,
Penn-Jersey, Inc.,
Penn-Jersey Products Corporation,
Penn-Jersey Sand Company,
Penn Optical Co.,
Pennsauken Holding Company,
Pennsauken Investment Company,
Pennsylvania Health Service, Inc.,
Pennsylvania Holding Company,
Pensauken Contracting Company,
People's Adjustment Bureau,
Peoples Coal Co.,
Peoples Dairy,
People's Outfitting Co.,
Perfect Investment Company,
Period, Screen and Decorating Studios, Inc.,
Permanent Investment Company,
Permanent Real Estate Corp.,
Perma-Wave Co., Inc.,
Pet-Eng, Inc.,
Peters Machine Co.,
Peter Smith Corporation,
Petroleum Products, Inc.,
P. & H. Contracting Co.,
Phillips 'X-Press, Inc.,
Philmar Trucking Corp.,
Phil's,
Phil Seamon, Inc.,
Phoenix Products Co., Inc.,
Phoenix Transit Company,
Picay Realty Co.,

Pictorial Soap Co., Inc.,
Piedmont Silk Company, Inc.,
Piermont Realty Corporation,
Pike Chevrolet Company,
Pile Fabrics Corporation,
Pilgrim Laundry, Inc.,
Pine Crest Sanitarium,
Pines Holding Corp.,
Pines Realty Company,
Pine's Service, Inc.,
Pioneer Stages, Inc.,
Pipi's Tavern, Inc.,
Pisaturo Realty Company, Inc.,
Pitman Realty Company,
P. J. Nee Company,
P. Keelen, Inc.,
P. K. Roofing, Plumbing & Heating Co., Inc.,
Plain Dealer Printing Co.,
Plainfield Development & Construction Co., Inc.,
Plainfield Diner, Inc.,
Plain & Graichen, Inc.,
Plank Co.,
Plaza Development Corporation,
Plaza Drug Company,
Plaza Hotels Company,
Plaza Market Inc.,
Plaza Parking Corporation,
Plaza Service Stations, Inc.,
Pleasant Realty Company,
Pleasantville Development Company,
Plotkin Hardware Co. Inc.,
Plymouth Employment Service, Inc.,
Pocono Company,
Podexi Corporation,
Polish Home of Bayonne, N. J. Inc.,
Pomeroy Realty Company,
Pompton Lakes Development,
Port Clothing Stores, Inc.,
Postal Realty Co.,
Post Office Cut Rate Cigar Stores, Inc.,
Potash Bros. Inc.,
Potash Stores, Inc.,
Potter Manufacturing Company,

Poultry Transfer Inc.,
Poznak Distributors, Inc.,
Preakness Hills Realty Co.,
Preferred Greenhouse Mfg. Co., Inc.,
Preis' Bus Corporation,
Premier Hardware Company,
Premium Oil Company,
Prescott Corporation,
Primrose House, Inc.,
Prince and Belmont Corp.,
Princeton Bakery, Inc.,
Princeton Clothes Incorporated,
Princeton Tutoring School,
Priscilla Shoppe,
Private Garages, Inc.,
Profito Construction Company,
Progress City and Country Club of Trenton, New Jersey,
Progressive Cement Products Company,
Progressive Commission Sales Corporation,
Progressive Market, Inc.,
Progressive Textile Mfg. Co.,
Prospect Park Realty Co.,
Prosper Realty Co.,
Protane Gas Service, Inc.,
Prudential Realty Association,
Prudential Realty Corporation,
Pryor Holding Corp.,
Public Credit Corporation,
Public Hardware and Supply Co.,
Public Rug Cleaning Company,
Publix Dress Shoppes,
Pulaski Beverage Co.,
Purchasers' Profits, Inc.,
Pure Food Wholesale Grocery Co., Inc.,
Pure-Penn Oil Company,
Puritan Hotel Company,
Puritan Restaurant, Inc.,
Purity Farms, Inc.,
Pyramid Sales Co., Inc.,
Pyroil Corporation of New Jersey,

Quaker Bridge Road Corporation,
Quality Creams, Inc.,
Quality Food Market, Inc.,
Quality Food Specialties, Inc.,
Quality Pastry Shoppe,
Quality Yarn Inc.,
Quarles Realty Co.,
Queen City Construction Company,
Queen Holding Company,
Queen Shoe Market, Inc.,
Quiet May Sales and Service, Inc.,
Quimby Shongum Land Company, Inc.,

Rabin Installment Sales Co.,
R. A. Brady & Co. Inc.,
R. A. Garreau and Bro., Inc.,
Ragusa Bread Co.,
Rahway Realty Company,
Railroad Dairy Products Inc.,
Railroad Lumber and Building Supply Co.,
Raleigh Inn, Inc.,
Ralph Vasturo, Inc.,
Ramapo Estates, Inc.,
Ramos, Baylies & Co.,
Rand Publishing Company,
Ransley's Inc.,
Raritan Auto Loan Co.,
Raritan Realty and Finance Company,
Raritan Township Publishing Co.,
Ravenna Mosaic Company,
Raven Realty Company,
Ray Amusement Corporation,
Raybern Dyeing Company, Inc.,
Rayco Realty Company, Inc.,
Raymond Holding Company,
R. B. C. Investment Company,
R. C. Jenkinson & Co.,
Reade Manufacturing Company,
Reade's Plainfield-Perth Amboy Theatres Company,
Real Estate Publishing Co., Inc.,
The Real Estate Title and Abstract Co.,
Realhold Mortgage Corporation,

Real Investment Corporation,
Realistic Advertising & Manufacturing Co.,
Real Service Hosiery Mills,
Realty Company of Bergen County,
Realty Corporation,
Realty Funding Corporation,
Realty Paint Specialties Co.,
Reardon Laundry Co.,
Reardon Trucking Corporation,
Reb Company, Inc.,
Rector Investment Corporation,
Rector Parking Co.,
Red Bank Brewery Co.,
Red Bank Players, Inc.,
Red Bank Poultry Supply Company,
Red Bank Sanitary Sewer Company,
Reddy-Spred Corporation,
Reddy Tee Co., Inc.,
Redland Corporation,
Redmy Corporation,
Red Valley Realty Company,
Reenstra Realty Co.,
Reffahsel Company,
Regal Hardware Co.,
Regal Mfg. Co., Inc.,
Regent Company,
Regent Paint & Varnish Corp.,
Regent Sweet Shoppe, Inc.,
Regional Operating Corporation,
Rehms Holding Corporation,
Reich Bakery, Inc.,
Reinhardt's, Inc.,
Reis & Reis, Inc.,
Relbeuk Company,
Reliable Agency, Inc.,
Reliable Bedding Co. Inc.,
Reliable Furniture Corporation,
Reliable Furniture Factories, Inc.,
Reliable Importing Co., Inc.,
Reliable Realty Company of Union County,
Reliable Shoe Co., Inc.,
Reliable Woodworking Co.,
Rellek Construction Co. Inc.,

Reneé Service Corp.,
Rengaw Realty Co., Inc.,
Renlow Realty Co., Inc.,
Renner Realty Co.,
Reno Holding Company,
RE-NU-IT,
Reo Distillers, Inc.,
Republic Radio Tube, Inc.,
Research Agency Corporation,
Research Corporation,
Resource Holding Corporation,
Ressel Holding Co., Inc.,
Rest Realty Corp.,
Retlaw, Inc.,
Retrevo & Co. Inc.,
Retsam Realty Co.,
Reuben's,
Revere Realty Company,
Rexall Oil Heating Co.,
Rex Laundry Co.,
Rex Manufacturing Company, Inc.,
Rex Oil Co., Inc.,
Rex Paint Works,
Rex Tire & Brakes, Inc.,
R. Giordano Sons, Inc.,
R. Gluck, Inc.,
R. Goldner, Inc.,
R. & H. Development Co.,
R. H. O'Connor Sales Co.,
R. H. Weber Service, Inc.,
Rialto Players Guild, Inc.,
Rialto Theatrical Production Corporation,
Rice-Chisholm, Inc.,
Richard Holding Co.,
Richard J. Norrell Company, Inc.,
Richard Lewis & Co., Inc.,
Richard W. Jefferis Company,
Richelieu Company,
Richmond Furniture Factories, Inc.,
Richter, Caterer, Inc.,
Ridgewood Auto Body Co.,
Ridgewood Linen Shop,
Riegler Brothers, Inc.,

Right Polish Company,
Ring Bros. Passaic, Inc.,
Ring Fuel Co.,
R. I. R. Realty Co.,
Risdan Amusement Co.,
Rising and Thorne,
Risley Corporation,
Ritanella, A Beauty College,
Rite Manufacturing Co.,
Rite-Way Laundry, Inc.,
Ritta and Gambino, Inc.,
Riverfront Holding Co. Inc.,
River Road Service Station, Inc.,
Riverside Athletic Association,
Riverside Outlet Store,
Rivers, Inc.,
River Valley Realty Co.,
Riverview Fur Company,
R K N Holding Corporation,
R. M. C.—Meat Specialist,
R. M. S. Realty Company,
R. & N. Realty and Mortgage Company,
Roadside Rests, Inc.,
Robert Allen, Inc.,
Robert Castro Co., Inc.,
Robert Mayer & Co.,
Roberts Grocery Company, Inc.,
Robertson Bros. Circus, Inc.,
Roberts and White, Inc.,
Robinson Supply Company of Wilmington,
Rock Bit Company, Inc.,
Rockey Realty Co.,
Rock-Highway Corporation,
Rock Realty and Construction Co.,
Roderick M. Crocket & Co., Inc.,
Rod-Lee Clothes, Inc.,
Roebling Heat and Power Corporation,
Roehrle Motor Sales Co.,
Roland Company,
Rolla Laboratories, Inc.,
Roll Leaf Company of America, Inc.,
Rol-Stop Corporation of America,
Roma—Fairmont Laundry,

Romangal, Inc.,
Roma Quality Provision, Inc.,
Romor Realty Company,
Ronge Realty Company,
Rooney & Sharrock Company, Inc.,
Roosevelt Beverage Co.,
Roosevelt Bottling and Distributing Company,
Roosevelt Breweries, Inc.,
Roosevelt Building Company, Inc.,
Roosevelt Theatre Corporation,
Rose Flower Shoppe, Inc.,
Rose Holding Co.,
Roseland Building Co. Inc.,
Roseland Estates, Inc.,
Roselee Theatre Corp.,
Roselle Beef Company, Inc.,
Roselle Laundry Company, Inc.,
Rosemount Cemetery Association, Inc.,
Rosenblat & Weiss Inc.,
Rose Oil Company, Inc.,
Rose Uniform Corp.,
Rose Valentino, Inc.,
Roseville Holding Co.,
Roseville Wet Wash Laundry,
Roslyn Corporation,
Ross M. Clayton, Incorporated,
Ross M. G. Phillips Corporation,
Rostow Art Publishing Co.,
Rotary Motor Sales Co.,
Royal Brand Furniture Co. Inc.,
Royal Crown Beauty Preparations, Inc.,
Royal Ice Cream Co.,
Royal Oil Company, Inc.,
Royal Sales Co., Inc.,
Royce-Mack Garages, Inc.,
R. R. Construction Company,
R. & S. Company,
R. & S. Manufacturing Co.,
R. S. Realty Company,
Rubin Realty Corporation,
Ruby $1.85 Hat,
Ruckle Bros. Realty Corporation,
Rumidor Corporation of New Jersey,

Rumson Holding Company,
Rumson Laundry, Inc.,
Rural Diner, Inc.,
Russell & Blauvelt, Inc.,
Russian Agriculture and Poultry Commercial Corporation,
Rutherford Recreation Inc.,
Ruttenberg's, Inc.,
R & V Holding Co.,
R. W. Swift, Inc.,

Saco Mortgage Company,
Safe Fire Company,
Safety Storage Company,
Safety Valve Fruit Jar Company,
Safier Embroidery Co.,
Sagmor Drug Co., Inc.,
St. Lifer & Dessel, Inc.,
Salamandra Company No. 2,
Salerno Realty Co., Inc.,
Sales Corporation, Inc.,
S. Alexander & Company,
Salicylate Products, Inc.,
Saline Realty Co.,
Salvo Motor Express,
Salvemini Corporation,
Sam Bernstein & Co., Inc.,
Sam Dorfman, Inc.,
Sam Nelson & Ed Williams, Inc.,
Samuel D. Schwartz & Sons, Inc.,
Samuel H. Corrigan, Inc.,
Samuel Lemberger & Company,
Sam'l Norton, Inc.,
Samuel S. Cohen, Inc.,
Samuel's Department Store, Inc.,
Samuels Holding and Investment Co.,
Samuel S. O'Regan & Co. Inc.,
Sanford Drug Co., Inc.,
Sanford Service Station, Inc.,
Sanitary Live Poultry Market, Inc.,
San-Knit-Ary Textile Mills, Inc.,
Sanmalo Company, Inc.,
Santa Rita Pharmacy,

Sarah Grigsby Company,
Saratoga Handicap Co., Inc.,
Saraydar Bros., Inc.,
Sativel Holding Corp.,
Saturen's Kiddie Shop, Inc.,
Saunders Bros. Bottling Works Inc.,
Savel Restaurant, Inc.,
Savoy Hall Association, Inc.,
Saybrook Holding Corporation,
S. B. Construction Co. Inc.,
S. B. C. Realty Company,
S. Blackman & Co. of N. J.,
S. B. M. Butter & Egg Co.,
Schafer & Hanke Co.,
Schechter, Inc.,
Scheff Candy Company,
Scher Chemical Co.,
Schlitz Bus Lines, Inc.,
Schoenard Realty Corporation,
Schreiber Holding Co.,
Schubert & De Cristofer, Inc.,
Schulman's Department Store,
Schultz Vegetable Oil Co.,
Schwartz Bros. Coal Corporation,
Schwenzer Bros. Inc.,
Schwitter, Clover & Starkweather, Inc.,
Scott Baking Company, Inc.,
Scott-Fleming, Inc.,
S. C. Van Mater Co.,
Seaboard Ice Company, No. 1,
Sea Breeze Amusement Co.,
Seafoam Laundries, Inc.,
Sea Food Grill and Restaurant, Inc.,
Seagate Beach Company,
Seaman Behr, Inc.,
Seamless Tube & Reel Co.,
Seashore and Husted Express Company,
Seaside Coal Co., Inc.,
Seaside Fruit Co., Inc.,
Sea Sites, Inc.,
Secretary Sales Corporation,
Security Holding Company,
Security Thrift Plan,

Security Upholstered Furniture Co., Inc.,
Seddon Bros. Inc.,
Seiger Apartment Co. Inc.,
Select Food Products Co.,
Select Furniture Co.,
Self Service Penny Stores Syndicate, Inc.,
Selma Realty Co. Inc.,
Seminole Corporation,
Senior Investment Co.,
Servahome Beverage Co. of N. J.,
Serventi Realty Co.,
Service Fuel Oil Company,
Service Rubber Co. of New Jersey,
Sesta Clinic, Inc.,
Sette and Grisafe Holding Co. Inc.,
Sevilla Delicatessen, Inc.,
Seville Tavern, Inc.,
S. Federbush, & Co.,
S. F. Wortman & Co.,
S. & G. Hotel Co., Inc.,
Shadyside Park, Inc.,
Shak Bros., Inc.,
Shak Hardware Co.,
Shampanier's Groceries,
Shaw & Casperson, Inc.,
Shawmut Company, Inc.,
S & H Dress Co., Inc.,
Shelly Dresses, Inc.,
Sherman Dairy Co.,
Shinn's Bus Lines, Inc.,
S H J Realty Corporation,
Shoemaker Holding Company,
Shore Development Co.,
Shore Holding Company,
Shore Realty Company,
Shore Stadium Co., Inc.,
Short Hills Estates Construction Co.,
Shortway Construction Co.,
S. H. Trucking Co.,
Shultz Dredging Company, Inc.,
Sidco Corporation,
Sidley-Smith Corp.,
Sid's Super Service Station,

Siedenburg Beverage Corporation,
"Siegel's Inc.,"
Siemon and Elting,
Silk Carrier, Inc.,
Silk City Rayon Skein Dyeing Co.,
Silk City Trucking Corporation,
Silk Waste Company,
Silver Co.,
Silver Dragon,
Silver-Grey Cafe, Inc.,
Silver Grille, Inc.,
Silver Moon, Inc.,
Silverton Land Co.,
Simoni Baking Co., Inc.,
Simon Millinery Inc.,
Simplon Manufacturing Company, Inc.,
Simpson's Motor Sales, Inc.,
Sin,
Sinclair Realty Co.,
Singac Amusement Co. Inc.,
Sinon & Tynan, Inc.,
Sirgany's,
Sixteenth and Park Avenue Corporation,
Sixth Street Realty Co.,
S. J. Galpin, Inc.,
S. & K. Building Company,
Sklansky & Kor, Inc.,
Skymar Realty Corporation,
S. Leone Company,
Smack Manufacturing and Publishing Company,
Small Bros., Inc.,
Smart-Set Hosiery, Inc.,
Smartwear, Inc.,
S. & M. Company,
Smilax Credit Corporation,
Smith & Appel, Incorporated,
Smith-Dunne, Inc.,
Smith Furniture Co., Inc.,
Smith Singer Company,
Smotave Corporation,
Smyth Sales Corporation,
Sno-Melt Inc.,
Snow-White Laundry Service, Inc.,

S. & N. Realty Co.,
Snyder Engineering Company,
Solderite Inc.,
Solomon Taube, Inc.,
Solowey's On The Square,
Sol's Cut Rate Store,
Sol's, Inc.,
Some Amusement Company,
Somerset Claims Adjustment Bureau,
Somerset Hills Agency, Inc.,
Somerville Frocks, Inc.,
Sommac Realty Co.,
Sommerhalter's Dairy, Inc.,
Sonbee Realty Corp.,
Sonya Holding Co., Inc.,
Sorhagen's Inc.,
Souder Printing Company,
Soura Investment Co.,
South Amboy Investment Company,
South Broad Pharmacy Inc.,
South Broad Realty Company,
South Glen Rock Manor, Inc.,
South Jersey Agency, Inc.,
South Jersey Democrat, Inc.,
South Jersey Distillers Products, Inc.,
South Jersey Dressed Beef Company,
South Jersey Plumbing and Heating Co.,
South Orange Avenue Furriers, Inc.,
Southside Realty Co.,
South Tuscumbia Lots, Inc.,
Sovereign Mortgage Corporation,
Spaulding Products Co., Inc.,
S. Paul K. Karrakis, Inc.,
Spear Oil Co. Inc.,
Special Service System, Inc.,
Specialty Owners, Inc.,
Speedathon Derby, Inc.,
Spic & Span of America,
Spirit Oil Co., Inc.,
Sprayon Painters, Incorporated,
Spring Brook Farms, Inc.,
Springfield & Howard Corporation,
Springfield Tavern, Inc.,

Spring Lake Estates Incorporated,
Spring Lake Land and Loan Company, Inc.,
Spring Valley Realty Co.,
Square Corp.,
S. & R. Produce & Sales Co., Inc.,
S. Sadowski, Inc.,
S. & S. Bakery, Inc.,
S. S. & S. Incorporated,
Stacy Wine and Spirits Company,
Standard Color & Chemical Company, Inc.,
Standard Concrete Steel Company of New Jersey,
Standard Distilling Corporation,
Standard Electric Supply Company,
Standard Plate Glass Company of New Jersey,
Standard Products Corporation,
Standard Silk Dyeing Corporation,
Standard Trading Co.,
Standard Weather Strip & Screen Co.,
Standard Welding and Spring Company,
Stanley Auto Company,
Stanley Barrel Co., Incorporated,
Stanley Building Company,
Stanley Terrace Pipe Corporation,
Stanley W. Zippler Company,
Stanwell Realty & Investment Corporation,
Staples & Van Pelt, Inc.,
Star Athletic Club, Inc.,
Star Beauty Parlor,
Star Bus Corporation,
Star El Realty Co.,
Starlight Syrup Company, Inc.,
Star Liquor Co.,
Star Meat Market, Inc.,
Star Shoes, Inc.,
Star Silk Dyeing Company,
Star Terminal Co. Inc.,
State Agency, Inc.,
State Auction Rooms, Inc.,
State Collection & Reporting Agency, Inc.,
State Highway Realty Co.,
State Investment Corporation,
State Refrigerating Company,
State Wrecking Company, Inc.,

Steco Corporation,
Steiker and Company, Inc.,
Steinmount Corporation,
Stem Cigar Co.,
Stengel-Heller Realty Co.,
Stephen Bergdal, Inc.,
Stephen Gregory, Inc.,
Stephenson Associates, Inc.,
Sterling Amusement & Construction Company,
Sterling Estates,
Sterling Ice Cream Company,
Sterling Plumbing Supply Co.,
Sterling Top and Equipment Company,
Sternberg Tucking & Pleating Co.,
Sternberg Yarn Co., Inc.,
Stern-Berliner, Inc.,
Steuerwald Monmouth Company,
Stevens Millinery Inc., of Jersey City,
Stevens Millinery of West New York, Inc.,
Steward L. Maines and Sons, Inc.,
Stix-Tite Paint & Varnish Co. Inc.,
Stohn Brothers, Incorporated,
Stone & Bradshaw, Inc.,
Strahan Motor Company,
Stratford Centre,
Stratford Pharmacy, Inc.,
String and Company,
Strohmeier Provision Company, Inc.,
Stronghold Realty Corporation,
Stuckert Realty Corporation,
Studerus Transportation Company, Inc.,
Stuyvesant Restaurant, Inc.,
Style Curtain and Linen Shop, Inc.,
Subdivision Sales Corporation,
Suburban Country Homes, Inc.,
Suburban Gas Company,
Suburban Home Mortgage & Investment Co.,
Sullivan & Cunneff, Inc.,
Summit Garage of East Orange, Inc.,
Summit Nut Products, Inc.,
Summit Paint & Wallpaper Co., Inc.,
Summit Shoes, Inc.,
Sunnybrook Stock Farm Company,

Sunnyfield Golf Club, Inc.,
Sunnyland Realty Co.,
Sunnyside Holding Co.,
Sun-Ray Film Corp.,
Sunrise Holding Co.,
Sunset Drive Holding Company, Inc.,
Sunset Gift Shop,
Sunset Island Land Company,
Sunshine Beach Club, Inc.,
Sunshine Beauty Shop,
Sunshine Products Corporation,
Sun Typewriter Company,
Super-Fine Bakeries, Inc.,
Superior Art Work, Inc.,
Superior Auto Painting and Body Co., Inc.,
Superior Contracting Co.,
Superior Fabrics, Inc.,
Superior Wine & Spirit Import Corp.,
Super-Ivory Corporation,
Super Motor Company, Inc.,
Super Products Company,
Supreme Fruit Stores, Inc.,
Supreme Malt & Hop Co., Inc.,
Supreme Manufacturing Company, Inc.,
Supreme Mortgage & Realty Co.,
Supreme Packing Company,
Surprise Laundry Service, Inc.,
Surface-Ol Corporation,
Surprise Store, Inc.,
Susino Construction Co., Inc.,
Sussex Ave. Pharmacy, Inc.,
Sussex Bond & Mortgage Corporation,
Sussex Calcite Company,
Sussex Homes Company,
Swaine Realty Corporation,
Swanson Chemical Corporation,
S. W. Bus Co.,
Swerdloff's New York Delicatessen Inc.,
Swiss Diner, Inc.,
S. W. Milwitt, Inc.,
Sylben Realty Co., Inc.,
Sylvan Hardwood Flooring, Inc.,
Syndicated Land Co., Inc.,

Syros Pure Food, Incorporated,
S. & Z. Famous Restaurant,
"Szmitkowski, Incorporated,"

Tacony-Palmyra Ferry Company,
Tadon Holding Company,
Tall Oaks Corporation,
Tanner Sales & Service Co.,
Tanner Textile Company, Inc.,
Tansboro Company,
Tantum Co., Inc.,
Tape-O-Matic Machine Company,
Tapper Realty Corporation,
Taras Bros. Realty Corp.,
Tar-Asphalt Trucking Company,
Tasty Food Products Corp.,
Taylor Engineering Company,
Taylor, Hoffman & Gilbert, Inc.,
Tea Bo Realty Corporation,
Teaneck Builders, Inc.,
Teaneck Hardware Inc.,
Teaneck Publishers, Inc.,
Teitelbaum's Delicatessen & Restaurant, Inc.,
Teitler Realty Co.,
Tekirian, Inc.,
Temple Theatre Amusement Company,
Tenafly Road Company,
Tenakill Mills, Inc.,
Tenco Realty Company,
Ten Eyck Investment Company,
Teninbaum Baking Company,
Tennessee Land Company,
Terfis Holding Corporation,
Terhune Co. Inc.,
Terminal Wearing Apparel Co.,
Thalia Amusement Corporation,
Thanage Company,
Theo. Geiser and Sons, Inc.,
Theo. J. Kramer, Inc.,
Thomas A. Curtis & Sons, Inc.,
Thomas A. Marshall Co., Inc.,
Thomas A. Pullen & Bro. Inc.,
Thomas Fraser Construction Company, Inc.,

Thomas L. Perry, Incorporated,
Thomas Products Co.,
Thomas Studios,
Thompson Auto Co., Inc.,
Thompson's Bakery, Inc.,
Thrift 5¢-10¢-To $1.00 Stores, Inc.,
Thrift Stations, Inc.,
Tietjen Wehrhan Realty Corporation,
Tiffany Publishing Company, Inc.,
Tiger Applejack Co.,
Tiger Cab Co. of Jersey City,
Times Publishing Company of Bergen County,
Times Realty Company,
Timmus Realty Company,
Tite-Tub-Tile, Incorporated,
T. J. N. Holding Co., Inc.,
T. M. Producing Corporation,
Toca Stores Inc.,
Tolsam Holding Co.,
Toms River Lake Realty Association,
Tony Ferrara, Inc.,
Tony's Fruit & Vegetable Market, Inc.,
Top Notch Bakery, Inc.,
Torrey-Koehler, Inc.,
Towers Confectionery Corporation,
Tower Securities Co., Inc.,
Town & Country Bus Corporation,
Town Shop, Inc.,
Town Square, Inc.,
Transfer Building and Construction Co. Inc.,
Transfer Land Corporation,
Travel Service, Inc.,
Treasure Chest Stores Incorporated,
Trebod Company,
Treeger Bros. Inc.,
Treister Piano Co. Inc.,
Tremont Construction Co.,
Trenton Adjustment Corporation,
Trenton Dairy Co.,
Trenton-Princeton Airport, Inc.,
Trenton Smelting and Refining Company,
Trenton Whisk Broom Works,
Trenton White Truck Company,

Trenton Wholesale Drug Company, Inc.,
Trepex Realty Company,
Tri-County Beverage Company,
Tri County Construction Company,
Tridor Soda and Luncheonette Shoppe,
Trinidad Holding Company,
Trinity University Preliminary Organization Committee (Incorporated),
Triple S Products, Inc.,
Tri Realty Co.,
Tri-State Construction Co., Inc.,
Tri-State Theatre Corporation,
Trojohn Realty Corporation,
Tropical and Imported Glazed Fruit and Nut Co.,
Troy Realty Co.,
Tru-Lite Electric Lamp Company,
Tuckerton Manufacturing Company,
Tudor Village, Inc.,
Turin Grotto,
Turner and Co., Inc.,
Tuxedo Realty Co.,
Twin Rivers Club Inn, Inc.,
Twin State Advertising Agency, Inc.,
Tyler-Bridge Holding Co.,
Typewriter Sales & Service Co., Inc.,

Uco Realty Corp.,
U-Drive-It Co. of Trenton, N. J.,
Undercliff Realty Company,
Underpass Service Station,
Underwriters' Service Company,
Union Box Company,
Union Center Paint & Hardware,
Union City Live Poultry Market, Inc.,
Union City Mirror & Glass Works, Inc.,
Union City Paper Co., Inc.,
Union City Theatrical Corporation,
Union County Oil Burner Sales Co.,
Union Haulage Company,
Union Housing Co. Inc.,
Union Motor Sales Co.,
Union Motor Transport Co.,
Union-Terrace Company,

Union Theatres Company,
Union Trading Company,
Unique Jewelry Co. Inc.,
United Appliances Corporation,
United Cleaning Shops, Inc.,
United Clothing Company, Inc.,
United Corporation, (No. 1),
United Finance Co.,
United Gas Stations, Inc.,
United Grills, Inc.,
United Kosher Butchers of Lakewood, Inc.,
United Land Development Company of New Jersey,
United Land Improvement Co.,
United Motorists, Inc.,
United Paint Stores Corporation,
United Radio & Electric Corporation (No. 2),
United Realty Company,
United Realty and Investment Company,
United Roofing Company,
U. S. General Contracting Co. Inc.,
United States Investment Company,
United States Neon Corporation,
U. S. Wall Paper & Paint Co.,
United Stationery & Supply Co.,
United Tool & Die Works, Inc.,
Unity Associates, Inc.,
Unity Cleaners & Dyers, Inc.,
Universal Acceptance Corporation,
Universal Cork & Swab Corporation,
Universal Libraries System, Inc.,
Universal Rabbit Dressing Co. Inc.,
Universal Realty and Mortgage Company,
Universal Wholesalers, Inc.,
University Holding Corp.,
University Sports Equipment Co.,
Urban Drug Co.,
Utility Supply Co.,

Vacuum Products Corporation,
Vaillant Bros., Inc.,
Valdor Sales, Inc.,
Valencia Realty Co., Inc.,

Valhalla Building Corporation,
Valley Land Company,
Valley Way Realty Co.,
Vanadium Metals Company,
Vanderbilt Realty Company,
Vanet, Inc.,
Van Houten Land Co.,
Van Realty Corporation,
Van Reipen Realty Associates,
Van Wagoner's Market, Inc.,
Van Wickland Products Company,
Van Winkle Engineering Co.,
Vassar Holding Co.,
Vegetable Products, Inc.,
Velie Engineering Company, Inc.,
Velvet Cosmetics Inc.,
Venice Restaurants, Inc.,
Verhun Corporation,
Verona Cut Rate Store, Inc.,
Verona Investment Associates,
Veteran Paint & Oil Co., Inc.,
V. Fernandez, Inc.,
Viburne Corporation, Inc.,
Victoria Realty Co.,
Victory Corporation,
Victory Representatives, Inc.,
Vienna Baking Company,
Villa Marchisio Realty Co.,
Vilma Realty Corporation,
Vince Construction Company of North Bergen,
Vincent-Richard Bond and Mortgage Company,
Vineland Country Dairy Products,
Vineland Wine Company, Inc.,
Virginia Avenue Baths,
Virginia B. Starin, Inc.,
Visa Corporation,
Vista Estates, Inc.,
Vita-Fare Restaurant, Inc.,
Vito Lioce Company,
Vogel Brothers Company,
Vogue Dyeing & Finishing Co.,
Von-Christ Skyads, Inc.,
Vonovich Estates, Inc.,

Vreeland and Martin Company,
Vroom Realty Company, Inc.,
Vulcan Alcohol Products Co.,

Wagner's,
Wagner-Schneider Realty Co.,
Wahrhaftig & Company, Inc.,
Walbach Malt & Hops Co., Inc.,
Walbrook Park Company,
Walcar Construction Company,
Walco Realty and Construction Co.,
Waldorf Auto Repair Co.,
Wal-Dorf Engineering Co.,
Waldorf Realty Company,
Wales Clothes, Inc.,
Waljen Holding Co., Inc.,
Walker-James Company,
Walker Land Company,
Walker Transportation Co., Inc.,
Walter-Anthony-Peter Corporation,
Walter E. Binz Holding Co., Inc.,
Walter F. Donor Corporation,
Walter Goerke Company,
Walton Manufacturing Company,
Wand Realty Company,
Ward Realty Co.,
Warinanco Apartments, Inc.,
Warner-Curtis Realty Company,
Warren Clyde & Company, Inc.,
Warren Production Company,
Washington Florist, Inc.,
Washington Jersey Holding Corporation,
Washington Square Realty Co.,
Washington Upholstering and Furniture Co.,
Wash Rite Laundry, Inc.,
Washstate Realty Co.,
Watchung Valley Associates,
Watson Garage, Inc.,
Watson-Pashkow Company,
Wawel Coal Co., Inc.,
W. D. Clayton Motor Car Co.,
W. D. Hann and Company,
Web Distributing Company,

Webster Corporation,
Wechsler Department Store, Inc.,
Wedgewood Cafeteria, Inc.,
Wedgewood Estates, Inc.,
Wedgewood, Inc.,
Wegman Realty Company,
Weinberger-Schertzer Corporation,
Weiss Hotel Company,
Weitzman Company,
Welco Holding Company,
Welcon Industries, Inc.,
Welfare Lunch Company,
Well Made Hosiery Mills, Inc.,
Wenonah Military Academy, Inc.,
Wenonah Realty Company,
West Anderson Realty Corporation,
West End Holding Company,
Western Development Co. Inc.,
Western Memorial Park Associates,
Westervelt Dredging Corporation,
Westervelt Motors, Inc.,
West Essex Construction Corp.,
Westfield Candy Kitchen, Inc.,
Westfield Distributors, Inc.,
West Hudson Breweries, Inc.,
West Hudson County Distributing Company,
West Jersey Telephone Company,
West Newark Pharmacy & Optical Co.,
West New York Trucking Co. Inc.,
Westom Amusement Corporation,
Weston E. Good Company,
Weston Laboratories, Inc.,
Weston Realty & Development Co.,
Westrupp Realty Company,
West Side Pharmacy, Inc.,
West State Company,
West Stores, Inc.,
Westville Estates,
Westville Sand Company,
Westwood Realty Company,
W. F. Allsheskey Co., Inc.,
W. G. W. Distributing Co.,
W. H. Fissell & Co.,

W. Hillyer Ragsdale, Inc.,
Whippany Water Company,
White Company, Inc.,
White Eagle Bakery, Inc.,
Whitehall Cleaners Inc.,
White Horse Tavern, Inc.,
White House Hotel, Inc.,
White King Corporation,
White Owl Super Service Garage,
Whittier Realty Company,
Wholesome Food Shop, Inc.,
Wildwood Beverage Co.,
Wildwood Realty Co. Inc.,
Wilesa, Inc.,
Wilkins Dental Laboratories, Inc.,
Wilkinson & Solomon, Inc.,
William Apostolacus and Samuel Skopas, Inc.,
Wm. Clifford and Sons Company,
William Curr & Company,
William F. Taubel, Incorporated,
Wm. H. McCormick and Sons,
William H. Pangborn's Son,
William Huger & Company,
William Linder, Inc.,
Wm. L. Schwartz Inc.,
Wm. Penn Hotel Co.,
William R. Walsh Co., Inc.,
Williams Holding Company,
Williams Motor Inc.,
William & Springfield Co.,
Williams Silk Manufacturing Company,
Willit Manufacturing Co., Inc.,
Wilmak Holding Company,
Wil-Park Realty Co., Inc.,
Wilstran Co.,
Winama Realty Corp.,
Wincourt Corporation,
Windsor Silk Mills, Incorporated,
Wire Fibrous Products Company,
Wirth Bakery, Inc.,
Wirtschafter's Inc.,
W. J. McElroy Company, Inc.,
W. J. Miller, Inc.,

W & J Realty Company,
W. K. Co.,
W. M. Laird Company,
Wohlfarth & Koos Co.,
Wolfbrand Distributing Corporation,
Wolff Cottage, Inc.,
Wolff-Zwerling Corp.,
Wonder Coffee Shop,
Wonder Tavern, Inc.,
Woodbridge Ceramic Corporation,
Woodbridge Hardware Co., Inc.,
Woodbury Hardware Co.,
Woodbury Motor Sales Inc.,
Woodbury Trucking Company,
Woodcliff Recreation,
Woodcrest Corporation,
Woodhaven Corporation,
Woodland Building Company,
Woodland Realty and Construction Co.,
Woodlawne Dairy,
Woodlawn Investment Company,
Woodsher Realty Co.,
Woolin Holding Co.,
Workmen's Investment and Improvement Company,
W. P. Francisco, Inc.,
Wright Engineering Co.,
W. S. Davidson, Inc.,
Wulelemi Camps, Inc.,
Wychwood Construction Company, Inc.,
Wyoming Company,
Wyoming Estates, Inc.,
Wytall Company,

Yale Theatre Co.,
Yantacaw Construction Co.,
Ye Milford Realty Corporation,
Yowell's Pharmacy, Inc.,

Zahn-Pardee Incorporation,
Zar & Kor, Inc.,
Zenith, Inc.,
Zettler Studios, Inc.,

Zimmerman Furniture House, Inc.,
Zim's Garage, Inc.,
Zinn Realty Co.,
Z & K Holding Co.,
Z & L Construction Company,
Zuccaro Improvement Company, Inc.,
Zweig's Quality Shop,

Two States Oil Company,
Three Star Company, Inc.,
Five Counties Warehouse Corporation,
5, 10, and 15c Tavern, Inc.,
Seven Bleecker Corporation,
Eleven Standard Place Realty Co.,
16 Holding Corporation,
Eighteen Kensington Avenue Corporation,
21 Holding Company,
Forty Three Lincoln Park, Inc.,
Fifty Seven Lafayette Street Corporation,
61 Elizabeth Avenue Corporation,
Sixty-Six Nassau Street Realty Company,
81 Hauxhurst Ave., Inc.,
Ninety-One Holding Company,
105-107 Market Street Corporation,
119 Franklin Street Corporation,
125 Terrace Avenue, Inc.,
128 Claremont Ave., Montclair Corp.,
132-136 Thirty-Ninth Street Corporation,
132-140 Grant Avenue Corporation,
One Thirty Six Corporation,
One Thirty Eight Orchard St. Corp.,
143 Montgomery Corporation,
146 Charlton Corporation,
150 South Maryland Avenue, Inc.,
169-171 McWhorter Street, Inc.,
173 Nelson Avenue Corp.,
233 Weequahic Avenue, Inc.,
316 Mt. Prospect Ave., Inc.,
348 Fulton Ave., Corporation, Inc.,
424 Park Avenue Realty Corporation,
554 First Street, Inc.,
569 Broad Street Corporation,
598 South 19th St. Realty Co.,

729 Seventh St. Corp.,
Eight Hundred Park Ave., Inc.,
990 Broad Street Corporation,
1007 Pacific Avenue, Inc.,
1077 Springfield Ave., Corporation,
1119-1123 Broad Street Corporation,
Eleven Forty-One Corporation, Inc.,
1150 Stuyvesant Ave., Corp.,
1299 Second Ave., Co.,
1319 N. Street Corporation,

are void, and all powers conferred by law upon such corporations and each of them, are hereby declared inoperative and void.

Given under my hand and the Great Seal of New Jersey, this thirteenth day of
[SEAL] January, A. D. one thousand nine hundred and thirty-seven, and in the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The first third of the Twentieth Century has freed American women of the social, political and legal handicaps under which all women have lived throughout civilization.

American women stand, today, equal in rights and opportunity with men in business, in the professions and in public service. Under this new emancipation they have already won wide recognition of their service and their resourcefulness. They have established themselves as an important factor in these fields of endeavor outside their former circle of interest. Motherhood, of course, will ever be the noblest purpose of woman but in our modern social and economic life she has a place outside the home and the church. With characteristic zeal she seeks recognition for better standards and higher ethics in these new fields.

The New Jersey Federation of Business and Professional Women's Clubs will participate with other clubs in every State in observing the ninth anniversary of the National Business Women's Week, beginning March 14th, 1937.

THEREFORE, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do salute the sixty-five thousand members of business and professional women's clubs on this ninth anniversary of National Business Women's Week. I urge public co-operation and interest in the educational, employment and rehabilitation programs which the New Jersey clubs will sponsor in pursuance of their objective—A Better Business Woman For A Better Business World.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this eighth day of February, in the year of Our Lord one thousand nine hundred and thirty-seven, and in the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

It has become a custom for us to set aside one day of each year on which all the people of the country are invited to give thought to the service and the protection provided by the Army and to recall the heroism and valor of American soldiers who have served their country with distinction over all the period of our history.

This year, Army Day will be observed on April 6th, in commemoration of the twentieth anniversary of our country's entry into the Great War. In this troubled period of world history, when there is much longing for peace and concord among nations, in the midst of strife and feverish preparations for new wars, it is important that we remember that our surest way to peace lies in fair and impartial dealing with other nations and adequate preparation for our own defense.

The Army is a vital part of our national defenses. It serves in peace as well as in war. It must not be neglected and it warrants our support and our respect.

THEREFORE, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do hereby proclaim

APRIL 6TH, 1937,

as

"ARMY DAY"

and I am happy to call upon citizens throughout the State to honor the Army on this day by displaying the Flag on their places of business and at their homes and that appropriate observances of this day be made in our public schools and in our civic and patriotic organizations as opportunity affords.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-fourth day of February, in the year of Our Lord one thousand nine hundred and thirty-seven, and in the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Through chance rather than by design Americans people the richest and most desirable land on the globe. As pioneers, our forefathers cleared forests to create fields by which they might be fed. In our growth to a great industrial nation, we have not distinguished between development and destruction of our natural resources. Today the ravages of fire and erosion blight great areas of our forest and

agricultural lands while the threat of flood and drought constantly hang over hundreds of thousands of homes.

In America we must turn to a vigorous conservation program now or we must expect to reap the serious consequences of the policy of waste and exploitation which has gone hand in hand with our national growth. Comfort and plenty do not reside on wasted lands and denuded forests or by polluted streams, and the evidences are all about us that our resources are not inexhaustible.

The way to bring understanding of the importance of our many natural resources which we have taken for granted is through our public schools. I am glad to endorse the conservation work of the many civic agencies and groups which are giving it support and to encourage the teaching of the meanings and necessities of conservation.

THEREFORE, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do hereby proclaim the week beginning

APRIL 5TH, 1937,

as

STATE CONSERVATION WEEK.

I commend the interest and the efforts of the various citizen groups in this important work and I propose that this week be fittingly observed by special educational programs in all of our public schools in the State.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this first day of March, in the year of Our Lord one thousand nine hundred and thirty-seven, and in the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The 23d Annual Observance of National Negro Health Week will be celebrated from Sunday, April 4th, to Sunday, April 11th, inclusive; and

WHEREAS, National Negro Health Week is memorialized under the auspices of the United States Public Health Service; and

WHEREAS, Community health is the desideratum of every enlightened civic movement; and

WHEREAS, The adherence to strict hygienic precautions and careful attention to the instruction and counsel of the National and local health agencies will induce a favorable index in sanitation and health;

THEREFORE, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do hereby proclaim the period between

APRIL 4TH to APRIL 11TH
as
NATIONAL NEGRO HEALTH WEEK

and call upon hospitals, health clinics, physicians, dentists, nurses and all interested agencies to devote their whole-hearted energy, co-operation and support to this movement, the increased interest of a Health and Hygiene Program among the colored population of New Jersey.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fifth day of March, in the year of Our Lord one thousand nine hundred and thirty-seven, and in the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Inasmuch as home-ownership inevitably makes for good citizenship, any movement which serves to inspire and assist men and women to own or improve their own homes, performs a service that is as valuable to the community and to the State as it is to the individual.

THEREFORE, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do hereby proclaim the opening date of the

NEW JERSEY NATIONAL HOME SHOW
as
MARCH 20TH.

It is with the greatest satisfaction that I commend to the attention of the people of this State the excellent opportunity which this show affords to observe all the newest ideas which have been developed to make homes more comfortable, more attractive, and more livable. It is an event which should prove intensely interesting to every home-minded man and woman. All indications point to the fact that 1937 will be the most active year in the field of home construction in New Jersey since 1929. Those who are contemplating home-ownership are urged to visit as many as possible of the hundreds of model homes, throughout the State, which are now opening for inspection.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this nineteenth day of March, in the year of Our Lord one thousand nine hundred and thirty-seven and of the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The Congress of the United States, by enactment, has set aside May 1st as Child Health Day, and the President of the United States, by proclamation, has designated this day for earnest consideration of the needs of children in their communities and in their homes.

New Jersey for 1936 attained again new low rates for maternal and infant mortality, and because continued vigilance over the health of mothers and children is essential for the building up of a strong and healthy State,

I, FRANK DURAND, Acting Governor of the State of New Jersey, urge all organizations, agencies and persons interested in the continued progress of the welfare of our children and the future of our State to unite on

MAY 1ST, 1937,

in the observance of

CHILD HEALTH DAY

and arrange such exercises and activities as they believe will further the health and welfare of the children of the State and Nation.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this nineteenth day of April, in the year of Our Lord one thousand nine hundred and thirty-seven, and in the Independence of the United States the one hundred and sixty-first.

FRANK DURAND,
President of the Senate, Acting Governor.

By the President of the Senate, Acting Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The art of music, beloved of men in all ages and all nations beyond any other medium for the expression of beauty, has had a growth in our country equalled by none of the other arts. It has entered every phase of social and individual life. It is a means of enjoyment in moments of leisure, of personal expression, and of popular education. It meets every shade and degree of taste. It develops the spiritual consciousness; it is allied with poetry, with drama, with religious ceremony and love of country. It arouses the greatest emotions and brings the most perfect sympathy among individuals and stimulates the best in community life.

That all may participate in the enjoyment and advancement of this great medium of cultural and social growth,

I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do hereby proclaim the week beginning

MAY 2ND, 1937,

as

NATIONAL MUSIC WEEK IN NEW JERSEY.

I invite all citizens of this State to aid in making this a week of music interpretation and enjoyment through music festivals, group singing, and the presentation of the greatest music of today and of all times through special musical programs.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-sixth day of April, in the year of Our Lord one thousand nine hundred and thirty-seven, and in the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The merciful ministrations of the hospitals of New Jersey have rightly merited the gratitude and affection of the people of the State; and

WHEREAS, It is fitting that the purpose to which these hospitals have dedicated themselves be publicly marked; and

WHEREAS, Wednesday, May 12, 1937, has been set apart as National Hospital Day,

THEREFORE, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do hereby proclaim and designate

WEDNESDAY, MAY 12TH, 1937,

as

NATIONAL HOSPITAL DAY.

I do earnestly urge that the people of New Jersey observe the day by visiting the hospitals in their respective communities as a tangible sign of their appreciation of the work of the hospitals in alleviating human suffering.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-sixth day of April, in the year of Our Lord one thousand nine hundred and thirty-seven, and in the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

On May 14th, 1787, the Federal Constitutional Convention convened at Philadelphia under the chairmanship of George Washington. From its deliberations came the Constitution of the United States, the formula under which the United States was to grow into a great nation. That document was also to become the model for free government throughout the world.

On May fourteenth of this year the one hundred and fiftieth anniversary of that historic date is being observed in the City of Philadelphia, where this momentous Convention was held.

THEREFORE, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do hereby proclaim

MAY 14TH, 1937,

as

CONSTITUTIONAL ANNIVERSARY DAY

and I urge that patriotic Americans throughout the United States observe this anniversary by the display of the national ensign on public and private buildings and by appropriate exercises.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-seventh day of April, in the year of Our Lord one thousand nine hundred and thirty-seven, and of the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Sunday, May 9th, will be Mothers' Day in 1937.

This is a day set aside by common consent for observance of an obligation of which we should not find it necessary to remind ourselves.

'Tis a day upon which we are urged to remember our mothers—and to tell them that we remember them. It is a day for letters and messages and gifts, for expressions of the greatest debts men can owe—the debts of affection and gratitude to the mothers who brought them into the world and trained them for its duties and conflicts.

Everyone who has a mother should observe this day. For those who have been busy with other concerns and under heavy burdens, Mothers' Day should be the beginning of many years of days on which their mothers are remembered and cherished.

THEREFORE, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do hereby proclaim

MAY 9TH

as

MOTHERS' DAY

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this thirtieth day of April, in the year of Our Lord one thousand nine hundred and thirty-seven, and of the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, As a result of a report made on the second day of January, nineteen hundred and thirty-four, by the State Tax Commissioner to the Governor of this State, setting forth that the Delaware Street Corporation, a corporation of this State, had failed to pay the corporation franchise taxes levied against said corporation for the year nineteen hundred and thirty-one, on the second day of January, nineteen hundred and thirty-four, the Governor of this State issued a proclamation declaring that the charter of said corporation is repealed and that all powers conferred by law upon such corporation be thereafter inoperative and void; and

WHEREAS, Said report of the State Tax Commissioner to the Governor in the above particular was inadvertently made in that it appears that on the ninth day of September, nineteen hundred and thirty-one, the Delaware Street Corporation duly paid the corporation franchise taxes levied against said corporation for the year nineteen hundred and thirty-one.

THEREFORE, Acting pursuant to the provisions of section 4 of an act of the Legislature known as chapter 196 of the laws of 1931, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do hereby declare and make known that it has been established to my satisfaction that said Delaware Street Corporation did not neglect or refuse to satisfy the corporation franchise taxes levied against it for the year nineteen hundred and thirty-one, but that said corporation duly paid the taxes levied against it for said year on the ninth day of September, nineteen hundred and thirty-one; that the report made on the second day of January, nineteen hundred and thirty-four, by the State Tax Commissioner to the Governor, stating that said corporation had failed to pay the said corporation

franchise taxes, was inadvertently made and that the proclamation of the Governor on the second day of January, nineteen hundred and thirty-four, declaring that the powers conferred by law upon said corporation be thereafter inoperative and void, was without warrant in the law in the way of depriving said corporation of its said powers as a corporation of this State, and I hereby make proclamation to that effect.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this thirtieth day of April, A. D. one thousand nine hundred and thirty-seven, and in the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, As a result of a report made on the twenty-first day of January, nineteen hundred and thirty-six, by the State Tax Commissioner to the Governor of this State, setting forth that the Selee Realty Corp., a corporation of this State, had failed to pay the corporation franchise taxes levied against said corporation for the year nineteen hundred and thirty-three on the twenty-first day of January, nineteen hundred and thirty-six, the Governor of this State issued a proclamation declaring that the charter of said corporation is repealed and that all powers conferred by law upon such corporation be thereafter inoperative and void; and

WHEREAS, Said report of the State Tax Commissioner to the Governor in the above particular was inadvertently made in that it appears that on the fourth day of August, nineteen hundred and thirty-three, the Selee Realty Corp., duly paid the corporation franchise taxes levied against said corporation for the year nineteen hundred and thirty-three.

THEREFORE, Acting pursuant to the provisions of section 4 of an act of the Legislature known as chapter 196 of the laws of 1931, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do hereby declare and make known that it has been established to my satisfaction that said Selee Realty Corp. did not neglect or refuse to satisfy the corporation franchise taxes levied against it for the year nineteen hundred and thirty-three, but that said corporation duly paid the taxes levied against it for said year on the fourth day of August, nineteen hundred and thirty-three; that the report made on the twenty-first day of January, nineteen hundred and thirty-six, by the State Tax Commissioner to the Governor, stating that said corporation had failed to pay the said corporation franchise taxes, was inadvertently made and that the proclamation of the Governor on the twenty-first day of January, nineteen hundred and thirty-six, declaring that the powers conferred by law upon said corporation be thereafter inoperative and void, was without warrant in the law in the way of depriving said corporation of its said powers as a corporation of this State, and I hereby make proclamation to that effect.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this thirtieth day of April, A. D. one thousand nine hundred and thirty-seven, and in the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

There are so many claims on the attention of the American people that sometimes we forget essential things that we should remember.

We were born into a country and a condition unique in the world. This country and this condition had been made ready for us before we came—made ready by sacrifice and struggle of generations now dead, who worked not so much for their own benefit as they did to create this inheritance for us, their children.

We should remember how all this came to pass so that we may not forget our obligation to add to the inheritance which will pass to those who come after us. Liberty does not protect and care for itself; it survives only at the price of the eternal vigilance of its believers. Unless we remember, we cannot serve the purpose for which we were born.

NOW, THEREFORE, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do hereby proclaim the week ending

SUNDAY, MAY 30TH

as

MEMORIAL WEEK

and I suggest that these seven days be dedicated to memorial ceremonies of all kinds, culminating in the traditional Memorial Day services on May 30th.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this sixth day of May, in the year of Our Lord one thousand nine hundred and thirty-seven, and in the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Fathers' Day is sponsored annually in June throughout the Nation; now

THEREFORE, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do hereby proclaim

SUNDAY, JUNE 20TH

as

FATHERS' DAY

in the State of New Jersey.

I respectfully urge that the Flag is displayed and that the day be celebrated with proper observance.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this eleventh day of June in the year of Our Lord one thousand nine hundred and thirty-seven, and in the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

June fourteenth will be Flag Day.

The Flag which is the epitome and the inspiration of our history should rule the skyline on that day so that all of us, looking up out of the welter of thoughts and actions strange to the American scene, may see it there and say to ourselves—"This is America, a good land which is worth preserving" and act upon that thought.

THEREFORE, In observance of established custom, I, HAROLD G. HOFFMAN, Governor of the State of New Jersey, do proclaim

MONDAY, JUNE 14TH

as

FLAG DAY

and ask that the American Flag be appropriately displayed from all public buildings, business places and homes throughout the State, that we renew our personal allegiance to The Flag of our Country and that we make appropriate and patriotic observance of this Day of National Commemoration in our churches and in other places of assembly.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this twelfth day of June, in the year of Our Lord one thousand nine hundred and thirty-seven, and in the Independence of the United States the one hundred and sixty-first.

HAROLD G. HOFFMAN,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

Decrees of Dissolution

Decrees of Dissolution

IN CHANCERY OF NEW JERSEY

In pursuance of Chapter 185 of the Laws of 1896, copies of decrees of dissolution of the charters of the following corporations have been filed in the office of the Secretary of State:

Name	*Filed*
Murray and Adler, Inc.	Feb. 3, 1937
Monthly Income Shares Inc.	June 29, 1937

Change of Corporate Title of Municipalities

Change of Corporate Title of Municipalities

In pursuance to law, the following changes of corporate titles of municipalities have been filed in the office of the Secretary of State:

The Borough of Teterboro, Bergen County, changed its name to "Borough of Bendix," at a Special Election on April 14, 1937. Filed April 17, 1937.

Statements of Results of Municipal Elections

Statements of Results of Municipal Elections

At a Special election in the Township of Randolph, County of Morris, held May 8, 1923, the Township of Mine Hill, Morris County, was set off from the said Township of Randolph and incorporated as the Township of Mine Hill. Filed December 28, 1936.

At a Special Election held in the City of Cape May, April 6, 1937, the commission form of government for municipalities was adopted. Filed April 8, 1937.

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