

ACTS

ADDITIONAL No. 32042

OF THE

RECEIVED

One Hundred and Tenth Legislature

OF THE

STATE OF NEW JERSEY,

AND

Forty-second Under the New Constitution.



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The General Public Laws are printed in the front part of the volume.

The Joint Resolutions and Proclamations by the Governor are placed next after the General Public Laws.

The Special Public and Private Acts follow in the order of their approval, and, with Table of Contents and Index of all the laws, with abstract of Census of 1885, complete the same.

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Secretary of State.

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OF THE
One Hundred and Ninth Legislature
OF NEW JERSEY.

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General Public Laws.

GENERAL PUBLIC ACTS

PASSED BY THE

One Hundred and Tenth Legislature

CHAPTER I.

A Supplement to an act entitled "An act to remove the fire and police departments in cities of this state from political control," approved May second, one thousand eight hundred and eighty-five.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That on or before the first day of March, in each year, the said boards of fire and police commissioners, respectively, shall estimate in detail the expenses of the fire and police departments for the ensuing year, and shall transmit such estimate to the common council of such city, which sums so estimated the said body shall cause to be assessed and raised by making provision therefor in the tax ordinance of such year; *provided, however*, that if such estimate for the fire department shall in any year exceed an amount equal to one mill and eleven-hundredths of a mill on one hundred dollars of the total valuation of the assessed property in such city, as ascertained by the assessors' returns of the previous year, and if such estimate for the expenses of the police department shall in any year exceed an amount equal to one mill and nine-tenths of a mill on every one hundred dollars upon such valuation, that it shall be optional with such common council whether the excess or any part thereof be raised by taxation in such city or not; *provided, further*, that the said boards shall not make any

How expenses
to be estimated
and assessed.

Proviso.

Proviso.

expenditure or incur any indebtedness exceeding the amount so appropriated and raised.

Fines, penalties and receipts, how appropriated and used.

2. *And be it enacted*, That all fines, penalties and other receipts from police courts, where such courts are or may be established in such cities, shall be paid into the treasury of such city, to be appropriated and used as the common council may direct, and that all receipts from the sale of material or from other sources, which may be received by the fire department in any such city, shall be used by the said board for the support of such department in addition to the appropriation made therefor by the common council; as herein provided.

Duties of treasurer.

3. *And be it enacted*, That whenever and as often as the common council of any such city shall, by resolution, direct the treasurer of such city to credit the said boards with a sum or sums of money for the support of their respective departments, on account of the appropriations so to be made as aforesaid, it shall be the duty of such treasurer, immediately upon the receipt of a certified copy of such resolution, to enter on his books the sum or sums of money therein mentioned, to the credit of the respective boards, and to pay on presentation all drafts drawn upon him by the order of the said boards, duly attested by the signatures of the president and secretary thereof, to an amount not exceeding the balance remaining on his books to the credit of the said boards respectively, and to preserve such drafts to be exhibited in the settlement of his accounts as treasurer of such city.

Compensation of commissioners.

4. *And be it enacted*, That each of such commissioners shall receive an annual salary not exceeding one thousand dollars, to be paid as specified in the act to which this is a supplement.

Repealer.

5. *And be it enacted*, That all acts and parts of acts inconsistent with this act be and the same are hereby repealed, and that this act shall take effect immediately.

Approved January 27, 1886.

LEON ABBETT,

Governor.

JOHN W. GRIGGS,

President of the Senate.

EDWARD AMBLER ARMSTRONG,

Speaker of the House.

CHAPTER II.

A Further Supplement to an act entitled "A supplement to the act entitled 'An act respecting the court of chancery'" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-five, which supplement was approved March first, one thousand eight hundred and seventy-seven.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section one of the act to which this act is a supplement and which was amended by an act approved April twentieth, one thousand eight hundred and eighty-five, be further amended so as to read as follows:

[1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the clerk in chancery, with the approval of the chancellor, shall provide and furnish, at the expense of the state, two or more suitable rooms in the city of Newark, for the chancellor, vice chancellors and advisory masters in the hearing of causes, and that the rent and expense thereof shall be ascertained and certified by the chancellor and paid by the treasurer of the state and shall not exceed two thousand dollars per annum.]

2. *And be it enacted*, That the second section of the said act shall be amended so as to read as follows:

[2. *And be it enacted*, That the chancellor and vice chancellors shall have power to appoint suitable persons, to hold office during their pleasure, as sergeant-at-arms of their respective court rooms, whose duty it shall be to attend the courts or hearings when required, for which service they shall each receive three dollars per day for each day they shall respectively be in actual attendance upon the court, to be paid by the treasurer of the state upon the certificate of the chancellor or vice chancellor.]

3. *And be it enacted*, That this act shall take effect immediately.

Approved February 2, 1886.

CHAPTER III.

A Supplement to an act entitled "An act to incorporate boat clubs and other associations for the promotion of athletic exercises," approved April twenty-first, one thousand eight hundred and seventy-six.

Associations
may increase
number of
members.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any association already incorporated or hereafter to be incorporated under the act to which this act is a supplement, may, in the manner provided for in their constitution or by-laws, increase the number of their members to any number not exceeding one thousand, anything in the act to which this act is a supplement to the contrary in any wise notwithstanding.

2. *And be it enacted*, That this act shall take effect immediately.

Approved February 2, 1886.

CHAPTER V.

A Supplement to an act entitled "An act to establish a bureau of statistics upon the subject of labor, considered in its relation to the growth and development of the state industries."

Appropriation.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the sum of four thousand dollars be and is hereby appropriated for the current expenses of said bureau.

Treasurer
authorized to
pay money.

2. *And be it enacted*, That the treasurer of this state is hereby authorized to pay, from any money not otherwise

appropriated, the sum provided for in the first section of this act.

3. *And be it enacted*, That this act shall take effect immediately.

Approved February 2, 1886.

CHAPTER VI.

An Act to extend the time for the completion of railroads whose charters shall expire by limitation during the year one thousand eight hundred and eighty-six, where work has been performed on said railroads or money expended thereon.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever the time limited for the completion of any railroad authorized to be constructed within this state, under special acts, shall expire during the year one thousand eight hundred and eighty-six, such time shall be and the same is extended for a further period of two years; *provided, however*, that this act shall not apply unless money has been actually expended in surveys or locations of route, or in acquisition of right of way, or in construction; *and provided, further*, that this act shall not apply to any corporation unless such corporation shall first and as a 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 the attorney-general, waiving all rights 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 hereafter be passed, taxing such corporations as are now authorized to be taxed by the legislature of the state

Time limited
for the comple-
tion of rail-
roads extend-
ed.

Proviso.

Proviso.

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 the state (if any there exist) to take the property of such corporation under any existing law of the state; and agreeing, further, that all laws affecting such corporations shall be subject to alteration or repeal by the legislature.

2. *And be it enacted*, That this act shall be deemed a public act and shall take effect immediately.

Approved February 9, 1886.

CHAPTER VII.

A Supplement to an act entitled "An act relative to the jurisdiction and practice of district courts in this state," approved March twenty-seventh, one thousand eight hundred and eighty-two.

Territorial
jurisdiction
extended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That from and after the passage of this act the territorial jurisdiction of each and every district court established by law in any city of this state, whether by general or special statute, shall be and the same is hereby extended to and declared to be co-extensive with the limits of the county in which such city may be, within which any district court or courts is or are now or may hereafter be established by law.

2. *And be it enacted*, That this act shall take effect immediately.

Passed February 9, 1886.

CHAPTER X.

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.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in each county of this state in which an assistant prosecutor is not already provided for by law, it shall be lawful for the prosecutor of the pleas thereof to appoint one assistant prosecutor, who, after having taken an oath or affirmation before the clerk of the common pleas of the county wherein he is appointed, to faithfully and justly perform the duties of the appointment to the best of his ability, shall hold said appointment during the pleasure and at the will of the prosecutor; and the services of such assistant shall be paid for by the prosecutor making the appointment, out of the salary or fees of the prosecutor.

Assistant prosecutors of the pleas, how appointed.

2. *And be it enacted*, That all acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect immediately.

Approved February 9, 1886.

CHAPTER XI.

An Act to amend section one hundred and seventy-three of an act to regulate elections [Revision], approved April eighteenth, one thousand eight hundred and seventy-six.

Section amend-
ed.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section one hundred and seventy-three of the act of which this is amendatory, be and the same hereby is amended so that it shall read as follows :

Register and
poll list, how
and by whom
kept, and
where filed.

[173. *And be it enacted*, That on the day of election, the clerk of election shall keep the usual poll-list, and one of the board of election shall check on the register the name of the person voting, and after the canvass of the votes, the register so kept and checked shall be filed with the clerk of the county, and the poll-list shall be deposited in the ballot box, as hereinbefore provided.]

2. *And be it enacted*, That this act shall take effect immediately.

Approved February 9, 1886.

CHAPTER XII.

An Act relative to interest on arrears of taxes and assessments in the cities of this state.

When taxes or
assessments
may be paid.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That at any time after the passage of this act any person or persons may pay to the collector of taxes, or person authorized to receive the same, in any city in this state, the amount of any tax or assessment due upon any real estate belonging to such person

or persons, with interest thereon at the rate of seven per centum per annum, to be calculated from the time interest is properly chargeable thereunto to the time of payment, together with the actual expenses theretofore incurred by such city for the enforcement and payment of such taxes or assessments, and of all penalties added thereto by virtue of any existing law (except as hereinafter provided,) and the collector of taxes, or person authorized to receive the same, shall deliver to the person or persons making such payment a receipt therefor, and cancel the record of such tax or assessment; upon such payment the same shall cease to be a lien upon the real estate or property, and shall be deemed to be paid and satisfied, and there shall be no right to any further interest or penalty by reason of such tax or assessment not having been paid within the time allowed by law, except as hereinafter provided; *provided, however*, that nothing in this act shall authorize the receipt under its provisions of any such tax or assessment in cases where land and real estate have been sold for taxes or assessments and bought in by any other person than the city in which such taxes or assessments are laid, or some officer for the use of such city, nor shall any lien on real estate for such tax or assessment be released or affected, or any sale of real estate for taxes or assessments, or a delivery of such certificate or declaration of sale, or deed therefor, be stayed by anything contained in this act.

When paid to
cease to be a
lien.

Proviso.

2. *And be it enacted*, That this act shall not become operative in any of the cities of this state until the common council, or other governing body having charge of the finances of such city, shall, by resolution, authorize the collector of taxes, or other person authorized to receive the same, to receive and receipt for the same under the provisions of this act.

Act not to be-
come operative
until author-
ized by com-
mon council or
other govern-
ing body.

3. *And be it enacted*, That in all cases in which the taxes levied during the year one thousand eight hundred and eighty-five, or at any time thereafter, remain unpaid and in arrears for more than six months after the same have been returned to the collector or other officer for collection, interest thereon shall be charged in all cases at the rate of ten per centum per annum from the time the same became due and payable up to the date at which

Amount of
interest to be
charged upon
unpaid taxes
levied during
the year 1885.

the property upon which the same is a lien shall be sold therefor, and no deduction shall in any case be made therefrom by any officer, board or other governing body.

Repealer.

4. *And be it enacted*, That all acts and parts of acts inconsistent with this act be and the same are hereby repealed, and that this act shall take effect immediately.

Approved February 9, 1886.

CHAPTER XIV.

An Act to provide for the division of incorporated towns, townships and boroughs into wards, and to regulate representation therein.

Preamble.

WHEREAS, In the incorporated towns, townships and boroughs of this state, members of the municipal governing body are, in most cases, elected on a general ticket; *and whereas*, representation based, in the main, on subdivisions of the body corporate, is better suited to populous communities; therefore,

Certain incorporated towns, &c., may be divided into wards.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in cases wherein any incorporated town, township or borough not already divided into municipal subdivisions, electing their own representatives to the municipal governing body, there have been polled at the last presidential or other subsequent election, or whenever in any such municipality there shall hereafter be polled at any future election more than fifteen hundred legal votes, it shall be the duty of the township committee or other governing body of said municipality, at least fifteen days before any annual municipal election succeeding the approval of this act, in case such votes have been heretofore polled, and in other cases at least fifteen days before any annual municipal election succeeding such future election at which such votes may be hereafter polled, by resolution passed by a majority of their number, at a special meeting held for that purpose, of which

meeting notice in writing, signed by the clerk of said municipality, shall be set up at five of the most public places therein, for at least five days prior to said meeting, to divide said incorporated town, township or borough into not more than three wards, having regard, in making said division, to equality of representation, and to the lines of any existing polling districts, and to designate such wards by names or numbers; *provided, however, that* Proviso. no division into wards as aforesaid shall be made unless the question of making such division shall have been previously submitted to the legal voters of such incorporated town, township or borough at the annual municipal election, or at an election to be held for that purpose, nor unless a majority of the legal votes cast at such election shall be in favor of making a division into wards in the manner in this section provided.

2. *And be it enacted,* That from and after the annual Number, term and election of township committee or governing body. municipal election next succeeding such division, the township committee or other governing body of every such incorporated town, township or borough, shall consist of five persons, in case said division is into two wards, and of seven persons, in case said division is into three wards, two of whom shall be elected by the legal voters of each ward, and one of whom shall be elected by the legal voters of the municipality at large; that at the annual municipal election next succeeding such division, the legal voters in each ward shall elect, by ballot, one person to serve as a member of the township committee or other governing body for the term of one year, and one for the term of two years; and the legal voters of said municipality, voting in their respective wards, shall at the same time elect one person from the municipality at large, to serve as a member for the term of one year; and annually thereafter there shall be elected in and for each ward one person to serve as a member of said governing body for the term of two years, and by the legal voters of the municipality at large, voting in their respective wards, one member for the term of one year.

3. *And be it enacted,* That in cases wherein any incorporated town, township or borough, already divided into wards or municipal subdivisions, electing their own representatives to the municipal governing body, by what- How certain incorporated towns, &c., may be divided into wards.

ever name said subdivisions may be called in the act or acts creating the same, there have been polled in any such ward or subdivision at the last presidential or any subsequent election, more than one thousand legal votes, or whenever, in any future election, there shall be polled in any such subdivision or ward in any incorporated town, township or borough, more than one thousand legal votes, it shall be the duty of the governing body of said municipality, at least fifteen days before the annual municipal election next succeeding the approval of this act, in case such votes have been heretofore polled, and in other cases at least fifteen days before the annual municipal election next succeeding such future election at which such votes may be hereafter polled, by resolution passed by a majority of their number, at a special meeting held for that purpose, of which meeting notice in writing, signed by the clerk of said municipality, shall be set up at five of the most public places therein, for at least five days prior to said meeting, to divide said ward or municipal subdivision into two wards, having regard, in making said division, to equality of representation, and to the lines of any existing polling district, and to designate said wards by names or numbers, and that thereafter all the subdivisions of said municipality electing their own representatives to the municipal governing body shall be denominated and known as wards and not otherwise; and it shall be the duty of said township committee or other governing body of said municipality to designate such wards by names or numbers.

Wards entitled to representation in township committee or governing body.

Legal voters to elect representatives.

4. *And be it enacted*, That from and after the annual municipal election next succeeding such division of a ward or municipal subdivision into two wards, each ward thereby created shall have the same representation in the township committee or other governing body to which the subdivision or ward so divided was, at the time of said division, entitled, under the terms of the act or acts regulating representation therein, and that at the annual municipal election next succeeding such division the legal voters of each ward thereby created shall elect, by ballot, the municipal representative or representatives to which such ward shall be entitled, as aforesaid, for the same term or terms prescribed for representatives chosen at

the first election held in the municipal subdivision or ward so divided, in and by the act or acts regulating representation therein, and shall annually thereafter elect, by ballot, the municipal representative or representatives to which said ward shall be entitled, as aforesaid; *pro-* ^{Proviso.} *vided*, that if at the date of the first election under this act the term of office of a member of the township committee or other governing body theretofore elected to represent the municipal subdivision or ward so divided shall not have expired, then and in that case such member shall serve out his term of office as a representative of the ward in which his residence may be.

5. *And be it enacted*, That all acts and parts of acts, ^{Repealer.} whether general or special, inconsistent with the provisions of this act, be and the same are hereby repealed.

6. *And be it enacted*, That this act shall take effect immediately.

Passed February 15, 1886.

CHAPTER XV.

An Act to provide for the issue of bonds by school districts to take up matured or maturing bonds.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Trustees} *the State of New Jersey*, That whenever any bonds shall ^{authorized to} have been legally issued for the purpose of purchasing ^{renew out-} land and building school-houses by any school district in ^{standing bonds} this state, under authority of law, or any renewal or ^{by issuing new} renewals thereof, and the same shall be due or unpaid or ^{bonds.} outstanding, and whenever it may be desirable for the interests of the district that the same or any part thereof should be renewed by the execution of new bonds, the trustees or a majority of them of such district are hereby empowered to renew such outstanding bonds or any part thereof by the issuing of new bonds for that purpose in the name and under the seal of said district, provided

such renewal issue shall be authorized by said district at a meeting specially called to vote thereon, and such bonds shall be in the general form and manner of the bonds heretofore issued, signed by the trustees of said district or a majority of them and attested by the clerk of the said district, which bonds shall be made payable at periods of time not exceeding fifteen years from the date of issuing the same, and they shall bear interest at a rate not exceeding six per centum per annum and be issued in such sums of not less than one hundred dollars nor more than one thousand dollars, as the said trustees may determine, and which bonds shall have coupons attached for current payments of interest, which coupons shall be attested by the clerk of the district and bear its seal and shall be numbered to correspond with the bond to which they shall be respectively attached; and any bonds so issued shall be numbered and a proper registry thereof be kept by the said clerk; and such bonds may be sold at public or private sale for the best attainable price, but at not less than par, and the money so realized shall be at once applied to the taking up and cancellation of such outstanding bonds; or said renewal bonds may be exchanged on an equal basis of principal and interest for such outstanding bonds; and the said bonds so redeemed shall be forthwith canceled by the said trustees.

2. *And be it enacted*, That the bonds of the several school districts of this state, so issued to renew bonds heretofore or hereafter legally issued for the purpose of purchasing land and building school-houses, shall be a lien upon the real and personal estates of the inhabitants of the said districts as well as the property of the said districts; and the property of the inhabitants as well as the property of the districts shall be liable for the payment of the same; *provided*, that in all cases copies of all resolutions, papers and proceedings authorizing the issuing of such bonds shall be submitted to the attorney-general for his approval of the legality of the same, who shall receive such compensation for the examination thereof as shall be fixed by the trustees for the support of public schools, which sum shall be paid by the districts issuing such bonds.

Rate of interest.

Registry, price and money realized, how applied.

Renewal bonds may be exchanged for outstanding bonds.

Bonds issued a lien upon the property of inhabitants of districts.

Proviso.

3. *And be it enacted*, That whenever any district shall order and authorize the issue of bonds for the purpose aforesaid, it shall be the duty of the district clerk of such district, each and every year next before any such bond shall mature, to issue the warrant of the district, signed by the trustees and attested by the clerk under the seal of the district, to the assessor or assessors of the township or townships in which such district is situate, directing him or them to assess upon the inhabitants of said school district, and their estates and the taxable property therein, an amount sufficient to pay the bond or bonds of the district then next maturing, together with the interest accruing upon the whole issue of the unpaid bonds of such district, which warrant so issued as aforesaid shall be duly executed by him and the moneys be assessed, levied and collected; and the collector shall pay over, on the written order of the district clerk of said district, all moneys so collected by him.

Amount re-
quired to pay
principal of
bonds matur-
ing and inter-
est to be as-
sessed and col-
lected.

4. *And be it enacted*, That on the taking up of such out-standing bonds, or on the payment of any bonds of any school district, now issued or hereafter to be issued, the trustees of the district shall forthwith stamp and mark the same as canceled; and when so marked and canceled they shall be deposited in the office of the state superintendent of public instruction.

Outstanding
bonds taken
up to be can-
celed, and
where deposit-
ed.

5. *And be it enacted*, That the treasurer of this state, under the direction of the trustees for the support of public schools, is authorized to invest the funds for the support of public schools in this state in such renewed bonds of the several school districts of this state, or to exchange therefor other bonds of the same district.

Treasurer
authorized to
invest funds in
school district
bonds.

6. *And be it enacted*, That this act be deemed a public act and take effect immediately.

Approved February 15, 1886.

CHAPTER XVI.

An Act in relation to the limitation of the power to impose and collect taxes in the cities, boroughs and incorporated towns of this state.

Limitation of power to impose and collect taxes, not to apply to taxes to pay interest upon or provide a sinking fund to redeem or pay funded debt.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That where, in any city, borough or incorporated towns, the right to impose and collect taxes is limited to a certain rate per centum upon the assessed valuation of the property subject to taxation in such city, borough or incorporated town, such limitation shall not be held to apply to or include such part of the taxes imposed, levied and collected therein, as is or may be required to pay the interest upon or provide a sinking fund to redeem and pay the funded debt of such city, borough or incorporated town, and that such city, borough and incorporated town shall have full right and authority, in addition to the amount now authorized therein to be raised by taxation, to levy, impose and collect a sum sufficient to provide for such interest and sinking fund.

2. *And be it enacted*, That this act shall take effect immediately.

Approved February 15, 1886.

CHAPTER XVII.

An Act to amend an act entitled "Supplement to an act regulating fisheries," approved March third, one thousand eight hundred and eighty-two.

Section amended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section one of the act to which this act is amendatory, be and the same is hereby amended so as to read as follows:

[1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That from and after the passage of this act it shall be lawful to commence fishing in any of the waters of this state with hook and line for black bass on the thirtieth (30th) day of May in each and every year.]

2. *And be it enacted*, That all acts and parts of acts inconsistent with this act be and the same are hereby repealed.

3. *And be it enacted*, That this act shall take effect immediately.

Approved February 15, 1886.

CHAPTER XVIII.

Supplement to an act for the limitation of actions [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That judgments in any court of record in this state, entered upon forfeited recognizances in criminal cases, may be revived by scire facias, or an action of debt may be brought thereon within ten years next after the date of such judgment, and not after.

2. *And be it enacted*, That this act shall take effect immediately.

Approved February 15, 1886.

CHAPTER XIX.

An Act to extend the time for completing certain railroads incorporated under an act entitled "An act to authorize the formation of railroad corporations and regulate the same," approved April second, one thousand eight hundred and seventy-three.

Time limited
for completion
of railroads
extended for
two years.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever the time limited for the completion of any railroad authorized to be constructed under the act referred to in the title of this act, has expired during the year one thousand eight hundred and eighty-five, or shall expire during the year one thousand eight hundred and eighty-six, such time shall be and the same is hereby extended for a further period of two years; *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; *and provided, further*, that this act shall not apply to any corporation, unless such corporation shall first, and as a 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 the attorney-general, waiving all rights 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 hereafter be 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 the state (if any there exist) to take the property of such corpo-

Proviso.

Proviso.

ration under any existing law of the state, and agreeing, further, that all laws affecting such corporations, shall be subject to alteration or repeal by the legislature.

2. *And be it enacted*, That this act shall be deemed a public act and shall take effect immediately.

Approved February 15, 1886.

CHAPTER XX.

An Act to amend an act entitled "An act to secure to creditors an equal and just division of the estates of debtors who convey to assignees for the benefit of creditors."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section five of said act be amended so as to read as follows:

[At the expiration of three months from the date of said assignment, the said assignee or assignees shall file with the surrogate of the county wherein such debtor or debtors reside at the time of making such assignment, a true list, under oath or affirmation, of all such creditors of said debtors as shall claim to be such, with a true statement of their respective claims, having first advertised at least once a week for six weeks next preceding the end of said term in one of the newspapers printed in said county, and by putting up advertisements in five of the most public places in the neighborhood wherein such creditors or a majority of them reside, making known thereby that all claims against said estate must be made as hereinafter prescribed or be forever barred from coming in for a dividend of such estate, otherwise than hereinafter provided; and in case of failure to file such list or give such notice, the orphans' court of said county may extend and fix the time for that purpose.]

Section amended.

List of creditors to be advertised and filed with surrogate.

Time for filing list may be extended.

2. *And be it enacted*, That this act shall take effect immediately.

Approved February 15, 1886.

CHAPTER XXI.

A Supplement to an act entitled "An act to provide compensation to constables for extra services rendered to the courts of the several counties of this state," approved March eleventh, one thousand eight hundred and eighty-five.

When and by
whom extra
compensation
may be allowed
constables.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever any constable of any circuit court, court of oyer and terminer, court of general quarter sessions of the peace, of this state, shall be detailed and required by any of said courts to take charge of a jury during the progress of a trial, and to keep the persons together who are sworn on such jury, and to prevent others from speaking to them, and such trial shall be continued for more than one day, then it shall be lawful for the presiding judge of said court, in his discretion, to order that said constable be allowed extra compensation for every eight hours of extra attendance or fraction thereof at the same rate as is now allowed by law for regular daily attendance upon the said courts, and to be paid in the same manner as constables are now paid for attendance upon the said courts.

2. *And be it enacted*, That this act shall take effect immediately.

Approved February 15, 1886.

CHAPTER XXII.

An Act to amend an act entitled "An act constituting district courts in certain cities of this state," approved March ninth, one thousand eight hundred and seventy-seven.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the twenty-seventh section of the act to which this is amendatory, be amended to read as follows:

[27. *And be it enacted*, That all suits brought or commenced hereafter before any judge of any district court in this state which, under the present practice, would be either actions of debt, covenant, assumpsit or trespass on the case for injuries arising from breaches of contract, or the non-performance of duties arising from contract, shall be in the name and style of actions upon contract, and counts for said causes of actions may be joined in the same suit.]

2. *And be it enacted*, That all actions of trespass, trover, and trespass on the case cognizable before any district court in this state, shall hereafter be in the name and style of actions in tort, and counts for said causes of action may be joined in the same suit, any law, usage or custom to the contrary notwithstanding.

Approved February 20, 1886.

CHAPTER XXIII.

An Act to authorize the cities of this state to issue bonds for certain purposes.

Cities author-
ized to issue
bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in case any of the cities of this state are or may be liable for the payment of any indebtedness imposed thereon by reason of the annexation of territory, and no provision now exists by which such indebtedness may be funded and paid, such city may issue its corporate bonds to an amount equal to such indebtedness, of such denomination bearing interest at a rate not exceeding six per centum per annum for such time not exceeding twenty years, and payable at such place as the common council or other governing body of such city shall determine, and may negotiate and sell the same at any rate not less than par, the proceeds of which shall be used to take up, pay off and discharge such indebtedness, and for no other purpose whatever.

Interest and
sinking fund,
how provided.

2. *And be it enacted*, That it shall be the duty of the common council or other governing body of such city to provide annually, in the tax ordinance of such city, for raising by taxation therein a sufficient sum to pay the interest falling due on such bonds as it accrues, and to provide a sinking fund, of not less than three per cent., for the payment and redemption thereof when due, and that the amount annually raised for such sinking fund be paid over to the commissioners of the sinking fund of such city where such commissioners exist for this purpose.

3. *And be it enacted*, That this act shall take effect immediately.

Approved February 20, 1886.

CHAPTER XXIV.

A Supplement to an act entitled "An act to establish a system of public instruction," approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever, in the opinion of the board of education of any city in this state, it shall become necessary for the proper maintenance and continuance of the schools in such city, to use and expend the money appropriated by the state for school purposes, it shall be lawful for the said board to use and expend the same at any time during the calendar year, and without regard to the state school year; *provided*, that the said board shall not use or expend the same for any purpose inconsistent with or other than those specified in the act to which this is a supplement. Money appropriated by state may be used for school purposes. Proviso.

2. *And be it enacted*, That all acts and parts of acts inconsistent herewith be and they are hereby repealed. Repealer.

3. *And be it enacted*, That this act shall take effect immediately, and shall continue in force for one year only. How long in force.

Approved February 20, 1886.

CHAPTER XXV.

A Supplement to an act entitled "An act to regulate the practice of courts of law," approved March twenty-seventh, one thousand eight hundred and seventy-four [Revision].

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in any action at law in which Municipal corporations not to file affidavit.

a municipal corporation is defendant, it shall not be necessary for such corporation to file with its plea or demurrer the affidavit mentioned in the one hundred and fourteenth section of the act to which this is a supplement.

2. *And be it enacted*, That this act shall take effect immediately.

Approved February 20, 1886.

CHAPTER XXVI.

A Further Supplement to an act entitled "An act for the better enforcing in Maurice River cove and Delaware bay of the act entitled 'An act for the preservation of clams and oysters,' " approved April fourteenth, one thousand eight hundred and forty-six, and the supplements thereto.

When unlawful, and penalty for catching oysters between sunset and sunrise.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall not be lawful for any person or persons to catch or assist in catching oysters in Maurice River cove or on any planting ground or grounds in the waters of Delaware bay before sunrise or after sunset, and any person or persons so offending shall, for every such offense, forfeit and pay the sum of one hundred dollars, to be recovered with costs in an action of debt by any person who shall sue for the same in any court in this state having cognizance of that sum, one-half of said fine to be added to the oyster fund, and the other half to go to the person who shall sue for the same; and the canoe, flat, scow, boat or other vessel used and employed in the commission of such offense, with all the oysters, rakes, tongs, dredges, tackle, furniture and apparel thereto belonging shall be forfeited, and the same seized, secured and disposed of in the manner prescribed in the ninth and tenth sections of the act entitled "An act for the preservation of clams and oysters," approved

April fourteenth, one thousand eight hundred and forty-six; and the captain or other person in command or in charge of said canoe, flat, scow, boat or other vessel engaged in the commission of said offense, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by fine or imprisonment, or both, in the discretion of the court before which the conviction shall be had; *provided*, such imprisonment shall not exceed the term of six months, nor the fine exceed the sum of one hundred dollars. Proviso.

2. *And be it enacted*, That every captain or commander of any boat or other vessel lawfully engaged in catching, planting and growing oysters on the flats and grounds of Delaware bay and Maurice River cove shall and is hereby required to take out a license authorizing such captain or commander and the boat or vessel of which he is in charge or command to engage in the catching, planting and growing of oysters on the flats and grounds of Delaware bay and Maurice River cove, which license shall be issued upon application of said captain or commander by the collector of the oyster fund, and which license shall continue in force for a period not longer than one year. Every captain or commander to have license.

Licenses, by whom issued, and how long to continue in force.

3. *And be it enacted*, That the captain or commander of any boat or other vessel, before the license mentioned in the second section of this act shall be issued to him, authorizing such boat or other vessel to engage in the business of catching, planting and growing oysters in the said Delaware bay and Maurice River cove, shall take an oath or affirmation before the said collector, who is hereby authorized to administer the same, that he will at all times diligently aid and assist in the enforcement of the laws of New Jersey for the preservation of clams and oysters, and will faithfully and promptly report to said special officer any knowledge that he may obtain of the violation of said laws, and shall pay to said collector the amount per ton assessed upon all vessels licensed to engage in said business at the last preceding annual meeting of the captains of vessels having a license to lawfully engage in the catching, planting and growing of oysters in the waters aforesaid. Affidavit to be made before license is issued.

4. *And be it enacted*, That it shall be unlawful for any captain or commander or other person or persons in

Penalty for catching, planting or growing oysters without a license.

charge or command of any boat or other vessel, without having obtained the license from the collector as hereinbefore provided, to engage in the business of catching, planting and growing of oysters in the said Delaware bay and Maurice River cove, and any person offending against the provisions of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall for every such offense be punished by a fine not exceeding two hundred dollars, or by imprisonment not exceeding one year, or both, at the discretion of the court; and any boat or other vessel used or employed in the commission of such offense, with all the oysters, rakes, tongs, dredges, tackle, furniture and apparel therein or belonging thereto, shall be forfeited and the same seized, secured and sold in the manner prescribed in the ninth and tenth sections of the act entitled "An act for the preservation of clams and oysters," approved April fourteenth, one thousand eight hundred and forty-six, and the proceeds of such sale, after deducting all expenses, shall be paid to the said collector.

All vessels licensed to display their number.

5. *And be it enacted*, That every boat or vessel licensed as aforesaid and engaged in the business of catching, planting or growing of oysters in said Delaware bay and Maurice River cove, shall wear, in the middle of the main sail, one-third of the way from the head thereof, a number designated in the license issued to the captain or commander of said boat or vessel, and painted in black numerals, eighteen inches long; and any captain or commander of any such boat or vessel neglecting or refusing to comply with the provisions of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall for every such offense be punished by a fine not exceeding two hundred dollars, or by imprisonment in the county jail not exceeding six months, or both, at the discretion of the court.

Penalty for violation.

Sections to be amended.

6. *And be it enacted*, That the twelfth section of the act entitled "A further supplement to an act entitled 'An act for the better enforcement in Maurice River cove and Delaware bay of the act entitled 'An act for the preservation of clams and oysters,''" approved April fourteenth, one thousand eight hundred and forty-six, and the supplements thereto, approved March eighth, one

thousand eight hundred and eighty-two, be and the same is hereby amended so as to read as follows :

[12. *And be it enacted*, That it shall be unlawful for any person or persons to catch or take oysters from any of the natural oyster beds or grounds in Delaware bay north of a line running direct from Egg Island light-house to Cross Ledge light-house, from the fifteenth day of June in each year to the first day of April in the succeeding year; and from the fifteenth day of June until the first day of September in each year, no natural growth nor planted oysters shall be caught or taken from any of the grounds in Delaware bay and Maurice River cove for any purpose whatever; and any person offending against any of the provisions of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall for every such offense be punished by a fine not exceeding two hundred dollars, or by imprisonment not exceeding one year, or both, at the discretion of the court; and any boat or vessel used or employed in the commission of any such offense against the provisions of this section, with all her tackle, furniture and apparel, and the oysters thereon, shall be forfeited, and the same seized, secured and sold in the manner prescribed in the ninth and tenth sections of the act entitled "An act for the preservation of clams and oysters," approved April fourteenth, one thousand eight hundred and forty-six, and the proceeds of such sale, after deducting all expenses, shall be paid to the said collector of the oyster fund.]

When unlawful
to catch or
take oysters
within certain
limits.

Penalty for
violating pro-
visions of
section.

7. *And be it enacted*, That the captains of all vessels authorized to meet and vote at the annual election held by virtue of the provisions of the act to which this is a further supplement, are hereby authorized to vote at their annual meeting such sum of money as they may, by a plurality of votes, decide upon, to be appropriated and paid out of the oyster fund in the hands of said collector, for the purpose of improving by shelling such of the natural oyster beds in said Maurice River cove and Delaware bay as the said auditing committee elected under the said act shall deem advisable and most advantageous to the citizens of this state.

Captains of
vessels author-
ized to vote
appropriation
for shelling
oyster beds.

8. *And be it enacted*, That it shall be unlawful for any boat or other vessel propelled wholly or in part by steam,

Unlawful for
vessels pro-
pelled by steam
to catch or
plant oysters.

to engage in the catching or planting of oysters on the flats and grounds of Delaware bay and Maurice River cove, and no license shall be issued by the collector of the oyster fund to any boat or vessel so propelled, authorizing such boat or other vessel to engage in the catching or planting of oysters on the flats or grounds in the said bay or cove, and any boat or other vessel propelled wholly or in part by steam and so engaged, shall be forfeited, together with all the tongs, dredges, tackle, furniture and appurtenances thereto belonging, and shall be seized, secured and disposed of in the manner prescribed in the ninth and tenth sections of the act entitled "An act for the preservation of clams and oysters," approved April fourteenth, one thousand eight hundred and forty-six, and the proceeds of such sale, after deducting all expenses, shall be paid to the collector of the oyster fund.

Name and style
of officers of
oyster associa-
tion.

9. *And be it enacted*, That the special officer elected under the provisions of the act in the last preceding section mentioned, shall hereafter be known and designated as "special officer of the oyster association," the collector therein named, as the "collector of the oyster fund," and the auditing committee, as the "auditing committee of the oyster association."

Repealer.

10. *And be it enacted*, That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

11. *And be it enacted*, That this act shall take effect immediately.

Approved February 20, 1886.

CHAPTER XXVII.

An Act to amend an act entitled "An act for the settlement and relief of the poor" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section fifteen of the act entitled "An act for the settlement and relief of the poor" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four, be and the same is hereby amended to read as follows:

[15. *And be it enacted*, That it shall and may be lawful for the overseers of the poor of any township, with the approbation and consent of the major part of the inhabitants, householders of such township, if they shall think it convenient and necessary, at any public town meeting for that purpose met and assembled, of which timely notice shall be given in the usual manner, to build, purchase, or hire any house or houses in such township, and also to purchase necessary materials for that purpose, out of the money provided or to be provided for the relief of the poor, and there to keep, maintain and employ all and every such poor person and persons, and to take the benefit of the work, labor and service of any such poor person or persons who shall be kept and maintained in any such house or houses, for the better maintenance and relief of such poor person or persons who shall be there kept and maintained; and in case any poor person or persons claiming relief of any township within this state where such house or houses shall be so built, purchased or hired, shall refuse to be lodged, kept to work and maintained in such house or houses, such poor person or persons so refusing shall be put out of the book where the names of the poor are ordered to be registered by virtue of this act, and shall not be entitled to ask or receive any relief

Two or more
townships may
unite.

Regulations
in such cases.

from the overseer or overseers of any such township; and where any township may be too small to build, purchase or hire such house or houses as aforesaid, it shall and may be lawful for two or more of them, with the consent and approbation of the major part of the inhabitants, householders of each respective place, at a public town meeting for that purpose met and assembled, of which timely notice shall be given in the usual manner, to join together and unite in building, purchasing, or hiring such house or houses, for the lodging, keeping and maintaining of the poor of such places so joining together and uniting, and there to keep, maintain and employ the poor of such united places as aforesaid, and to take and have the benefit of the work, labor or service of any poor there kept and maintained, for the better maintenance and relief of the poor there kept, maintained and employed; and when two or more townships shall thus unite as aforesaid, the overseers of the poor of such townships so uniting shall meet as soon as practicable after the beginning of the fiscal year, and elect one of their own number to serve as steward of such house or houses for the fiscal year, whose duties shall be the same as those of the overseer where the house or houses are kept and maintained by one township; and in case any poor person or persons claiming relief of any such united places as aforesaid shall refuse to be lodged, kept to work, or maintained in the house or houses built, purchased or hired for such united places as aforesaid, such poor person or persons so refusing shall be put out of the book where the names of the poor are ordered to be registered by virtue of this act, and shall not be entitled to ask or receive any relief from the overseer or overseers of any such township; and it shall and may be lawful for the overseers of the poor of any township, with the consent and approbation of the major part of the inhabitants, householders of such place or places where such house or houses shall be built, purchased, or hired for the purposes aforesaid, at a public town meeting for that purpose met and assembled, of which timely notice shall be given in the usual manner, to contract with the overseers of the poor of any other place for the lodging, maintaining and employing of any poor person or persons, to such other place belonging, as

to them shall seem meet; and in case any such poor person or persons, belonging to any other township in this state, shall refuse to be lodged, maintained and employed in such house or houses so contracted for as aforesaid, such poor person or persons so refusing shall be put out of the book where the names of the poor are ordered to be registered by virtue of this act, and shall not be entitled to ask or receive any relief from the overseer or overseers of any such township.

2. *And be it enacted*, That all acts and parts of acts inconsistent herewith be and the same are hereby repealed, and this act shall take effect immediately.

Approved February 20, 1886.

CHAPTER XXVIII.

Supplement to an act entitled "An act to provide for drainage, where the same is necessary to the public health," approved March twenty-fourth, one thousand eight hundred and eighty-one.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any board of commissioners who may have been appointed under and by virtue of the provisions of the act to which this is a supplement, shall, within sixty days from the passage of this act, make a report in writing under their hands, properly sworn to, giving in detail a description of the work they were authorized and empowered to do, the part thereof already completed and the part still to be completed; the amount of the assessment levied for the purpose of paying the expense of such work; the amount of the same collected and paid over to the said board of commissioners, and the balance thereof still in their hands; the amount paid out by them for labor or other services, for what and to whom paid, and the amount of each payment; the amount paid for commissioners' or other fees, to whom

Sworn statement to be made by commissioners within 60 days after passage of this act.

paid, the date or dates of rendering the service, and the amount of each payment; the quantity and kind of materials or supplies purchased, from whom and at what price, and the details of all other expenditures not herein particularly enumerated; said report shall be filed within said thirty days with the clerk of the court appointing said board of commissioners, and a duplicate thereof with the clerk of the township committee or other governing body of the township, borough or incorporated town, within whose limits the drainage district lies; and in case the same lies in more than one township, borough or incorporated town, then with the clerk of the township committee or other governing body of each, and yearly thereafter, at the same time, shall file a similar report, or if their work be sooner completed, immediately upon the completion thereof; and any board of commissioners that may be hereafter appointed shall file a similar report within one year after their said appointment, and yearly thereafter at the same time, unless their work be sooner completed, and then immediately upon the completion thereof.

Annual report
to be made.

When excep-
tions to report
may be filed.

Court to ex-
amine and con-
firm report.

Contracts to be
advertised.

2. *And be it enacted*, That any person interested in said report may, at any time within thirty days from the time limited for the filing of the same, file his exceptions thereto; and the said court shall proceed to hear the proofs and allegations with reference to the same, at such time as they may appoint, and confirm or make such other order with reference thereto as to them may seem right and proper; if no exceptions to said report be filed within the time herein fixed, the said court shall examine the same and confirm or make such order with reference thereto as may be just and right.

3. *And be it enacted*, That all contracts for doing work or furnishing materials for any work provided for under the said act to which this is a supplement, exceeding in amount the sum of one hundred (100) dollars, shall be advertised for three weeks in a newspaper printed, published or circulating in said township or townships, borough or boroughs, or incorporated town or towns, and the said contracts shall at all times be given to the lowest bidder, he or they giving bond in at least double the amount of his or their bid, with sufficient freehold

security, for the performance of the same according to contract.

4. *And be it enacted*, That section thirteen (13) of the said act to which this is a supplement, be amended so as to read as follows :

[13. *And be it enacted*, That whenever any ditch or ditches, drain or drains, or other channel or channels for the free passage of water shall have been constructed under this act and the supplement thereto, it shall be the duty of the township committee of the township in which the same are situate, to keep the same in repair at the expense of the township; and for the purpose of providing funds to be used for such repairs, the legal voters at their annual town meetings, may appropriate moneys for that purpose; and where the contract for such repairs, either for work or materials, shall exceed the sum of one hundred (100) dollars, bids shall be advertised for in the manner hereinbefore directed, and the contract for the same shall at all times be given to the lowest bidder, he or they giving security for the faithful performance of said contract, in manner herein provided.]

5. *And be it enacted*, That this act shall take effect immediately.

Approved February 20, 1886.

CHAPTER XXIX.

A Further Supplement to an act relative to sales of land under a public statute, or by virtue of any legal proceeding [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four, and the supplement thereto, approved April ninth, one thousand eight hundred and seventy-five.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That no sale of land heretofore made shall be invalidated by reason of the omission to

Section to be amended.

Section as amended.

Township committee to keep ditches and drains in repair at expense of township.

Sale of lands not invalidated by omission to publish advertisement.

Proviso.

publish the advertisement of such sale in two newspapers printed and published in the county in which such lands are situate, in the manner required by the acts to which this is a further supplement, but that any purchaser or purchasers of lands at such sale, who shall have complied with the conditions of such sale, shall be entitled to have a deed for the lands so purchased, notwithstanding the sale was advertised in but one newspaper of the county in which the land was situated; *provided*, that where the sale has been made by direction of any court of competent jurisdiction, an order confirming such sale shall first be made by said court, or a judge thereof, upon it appearing to the satisfaction of said court or judge that the land has been sold for a fair price, and that it is proper in such case to make the order; and a deed or deeds so given shall operate to transfer the title to the purchaser or purchasers as fully as if the sale had been advertised in two newspapers of the county where the land is situate, in the manner and as required by the acts to which this is a further supplement.

2. *And be it enacted*, That this act shall take effect immediately.

Approved February 20, 1886.

CHAPTER XXX.

An Act to amend an act entitled "An act to incorporate societies or clubs for social, intellectual and recreative purposes," approved March twenty-seventh, one thousand and eight hundred and seventy-eight.

Section amended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section one of said act be and the same is hereby amended to read as follows:

How societies or clubs may become incorporated.

[1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the officers of any society or club, composed of not less than

thirty members, associated for social, intellectual and recreative purposes, to make and file a certificate as hereinafter provided, whereupon such society or club, and such persons as may be associated with them, shall be constituted a body politic and corporate in the law by whatever name they may assume, and by such name shall have such succession and continuance and be capable in the law of suing and being sued, defending and being defended in all courts and places whatever, and may have and use a common seal, and alter and renew the same at pleasure, and by their name as aforesaid and under their common seal may make and enter into, execute and enforce any contracts or agreements relating to, touching or concerning the objects of said corporation or its property; *provided, however,* that such certificate shall not be made or filed without authority by resolution adopted for that purpose at any regular meeting of such society or club, or at any special meeting thereof called for that purpose, a copy of such resolution, with notice of the time of the intended introduction of the same, to be first posted in a conspicuous place in the meeting-room of such society or club for not less than ten days.]

2. *And be it enacted,* That this act shall take effect immediately.

Approved February 20, 1886.

CHAPTER XXXI.

A Supplement to an act entitled "An act constituting police courts in certain cities in this state," approved March twenty-third, one thousand eight hundred and eighty-three.

1. **BE IT ENACTED** *by the Senate and General Assembly of the State of New Jersey,* That section twenty-four of the act to which this is a supplement, be amended so as to read as follows:

Word city,
how construed.

[24. *And be it enacted*, That the word city, wherever it occurs in this act shall be taken to include every incorporated borough, town and city of the third and fourth classes in this state.]

Passed February 23d, 1886.

CHAPTER XXXII.

A Further Supplement to the act entitled "An act to authorize townships to employ police," approved February twentieth, anno domini one thousand eight hundred and eighty-three.

Township com-
mittee author-
ized to design-
ate a justice
of the peace
to hear and
dispose of
complaints, &c.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in townships of this state where there is an organized police force, duly appointed under the provisions of the act to which this is a supplement, and the supplements thereto, it shall be lawful for the township committee to designate and appoint one of the justices of the peace of said township, whose duty it shall be to attend at the lock-up or police court of said township, and to hear and dispose of complaints against persons under arrest or detained in said lock-up, and to try actions brought to recover a penalty under any ordinance of the said township, and that the township committee may pay said justice such compensation, in addition to the fees allowed by law, as they shall deem proper.

2. *And be it enacted*, That this act shall take effect immediately.

Passed February 23d, 1886.

CHAPTER XXXIII.

An Act authorizing gas companies to increase their capital stock.

1. BE IT ENACTED *by the Senate and General Assembly of* <sup>Capital stock,
how increased.</sup> *the State of New Jersey,* That in case the capital stock of any gas company, incorporated under the laws of this state by special act of incorporation, is found to be insufficient in the erection of the works and the operating of the same, such company may, with the concurrence of two-thirds in amount of all its stockholders, increase its capital stock from time to time to any amount required for the purpose of constructing, maintaining and operating its gas works; such increase may be sanctioned by a vote, in person or by proxy, of two-thirds in amount of all the stockholders of the company, at a meeting of such stockholders, called by the directors of the company for that purpose, by a notice in writing to each stockholder, to be served personally, or by depositing the same, properly folded and directed, at the post office nearest such stockholder's usual place of residence, at least twenty days prior to such meeting; such notice must state the time and place of the meeting, and its object, and the amount to which it is proposed to increase the capital stock; the proceedings of such meeting must be entered on the minutes of the proceedings of the company, and, thereupon, the capital stock of the company may be increased to the amount sanctioned by a vote of two-thirds in amount of all the stockholders of the company, as aforesaid.

2. *And be it enacted,* That this act shall take effect immediately.

Passed February 23, 1886.

CHAPTER XXXV.

An Act to amend section one of the act entitled "An act respecting police departments of cities, and regulating the tenure and terms of office of officers and men employed in said departments," approved March twenty-fifth, one thousand eight hundred and eighty-five.

Section amended.	1. BE IT ENACTED <i>by the Senate and General Assembly of the State of New Jersey</i> , That section one of the act to which this is a supplement shall hereafter read as follows:
Term of office of officers and members of police department.	[1. BE IT ENACTED <i>by the Senate and General Assembly of the State of New Jersey</i> , That in the several cities of the state, whether the police departments are under the control of commissioners or otherwise, the officers and men employed by municipal authority in the police department of any city shall severally hold their respective offices and continue in their respective employment as such municipal officers and employes during good behavior, efficiency and residence in such city, except where by statute the term of office of any such officer and employe is determined and fixed, and does not depend upon the pleasure of any municipal officer, officers or board authorized to make appointment or employment in said departments; and no person shall be removed from office or employment in the police department of any city, or from the police force of any city for political reasons or for any other cause than incapacity, misconduct, non-residence or disobedience of just rules and regulations established or which may be established, for the police force or police department of such city; <i>provided</i> , that any member of the police force of any city who shall be absent from duty, without just cause, for the term of five days, shall, at the expiration of said five days, cease to be a member of such police force; <i>and provided, further</i> , that this act shall not apply in or to cities commonly known as seaside and summer resorts.]
Not to be removed for political reasons.	
Proviso.	
Proviso.	

2. *And be it enacted*, That this act shall take effect immediately.

Passed February 23, 1886.

CHAPTER XXXVI.

A Supplement to an act entitled "An act respecting writs of error" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever the attorney-general, in behalf of the state, eo nomine, or in the name of any board or officer thereof, shall sue forth a writ of error directed to the justices of the supreme court of the state, such writ shall be made returnable, at the option of the attorney-general, either at the next term thereafter of the court of errors and appeals, or within ten days after the teste of the writ; and, in all such cases, the attorney-general may assign and file errors and serve a copy thereof on the defendant in error or his attorney within ten days after the return of the writ, and the defendant shall join in error within ten days after service as aforesaid of a copy of the assignments of error, and in default thereof the cause shall be set down to be heard ex parte.

Writs of error
returnable at
option of attor-
ney-general.

2. *And be it enacted*, That when the attorney-general shall elect to make such writ of error returnable within ten days from the date of its teste, the cause shall come on for argument without further notice at a special term of the court of errors and appeals, to be appointed by the presiding judge of said court upon the application of the attorney-general without notice to the defendant; said special term to be held not more than twenty days from and after the time herein fixed for the filing of the joinder in error.

Special term of
court to be
held.

3. *And be it enacted*, That the attorney-general shall, with the approval of the governor and the comptroller,

Attorney-gen-
eral may em-
ploy assistant
counsel.

Compensation
of assistants.

have power to employ such assistant counsel and to incur such other expense for printing and otherwise, as may be necessary to protect and properly defend the interests of the state; and such assistants shall be paid such compensation for their services as may be approved by the governor, the attorney-general and the comptroller.

4. *And be it enacted*, That this act shall take effect immediately.

Approved February 23, 1886.

CHAPTER XXXVII.

An Act to amend an act entitled "A further supplement to the act entitled 'An act for the relief of creditors against absconding and absent debtors,'" approved April sixteenth, one thousand eight hundred and forty-six, which further supplement was approved April fifth, one thousand eight hundred and seventy-six.

Section
amended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the first section of the act of which this is amendatory, be and the same hereby is amended so as to read as follows;

Wages,
salaries, &c., of
non-resident
employes not
liable to
attachment.

[1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the wages, salaries or other compensation for labor, work or services done or rendered within this state, or elsewhere, due to a non-resident employe, shall not be liable to attachment at the suit of a non-resident creditor, or his or her assigns.]

2. *And be it enacted*, That this act shall take effect immediately.

Approved February 26, 1886.

CHAPTER XXXVIII.

An Act to amend an act entitled "An act concerning inns and taverns," approved April seventeenth, one thousand eight hundred and forty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section three of said act be ^{Section amended.} amended so as to read as follows :

[3. *And be it enacted*, That no person shall be licensed to keep an inn and tavern unless the freeholders who shall recommend him or her shall sign such recommendation ^{Recommendation to be signed within thirty days of opening day of term.} within thirty days next preceding the opening day of the term on which application for license shall be made, and shall also certify that such an inn and tavern is necessary and will conduce to the public good.]

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 1, 1886.

CHAPTER XXXIX.

An Act authorizing the inhabitants of townships to purchase or erect a building for township purposes.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of any township in this state may, by a vote of a majority of those voting at any spring election, or annual town meeting, authorize the town committee of such township to purchase a lot and erect a building thereon (or purchase a lot and building) for township purposes, taking the title ^{Township authorized to purchase lot and erect building.}

- thereto in the corporate name of the inhabitants of said township; *provided, however*, that the total cost of such building, with the lot whereon the same shall stand, shall not exceed one-half of one per centum of the assessed valuation of the property in such township for the year next preceding such election.
- Cost of lot and building, how paid. 2. *And be it enacted*, That when so authorized the town committee may divide the cost of such lot and building into not more than three parts, and cause one of such parts to be included in the tax levy of each year until the whole is paid, and may borrow, upon the credit of the township, or by mortgage on said premises, the necessary means to pay for such building at the time of its erection or purchase, and until the same is raised by tax as aforesaid; and said committee are authorized to execute such mortgage, if they deem the same to be necessary.
- Town committee may execute mortgage. 3. *And be it enacted*, That the building when so erected or purchased shall be used for town committee meetings; for the meetings of commissioners of appeals; for a depository for the town books and papers; for a place of temporary confinement of tramps and criminals; for at least one of the polling places of such township, and for such other uses as may be authorized by the town committee of said township.
- For what purpose building to be used. 4. *And be it enacted*, That this act shall take effect immediately.
- Approved March 1, 1886.

CHAPTER XL.

A Further Supplement to an act entitled "An act to amend and consolidate the several acts relating to game and game fish," approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That it shall not be lawful for any person or persons to have in his or her possession, and

sell or offer for sale any deer, hare, rabbit, squirrel, quail, pheasant, woodcock, rail bird, reed bird, prairie chicken, plover or duck after the same has been caught or trapped in or by means of any snare, snood, trap or device of any kind or description whatsoever, under the penalty of fifteen dollars for every animal or bird so had in possession.

Penalty for selling or offering for sale certain game caught or trapped by snare, &c.

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 1, 1886.

CHAPTER XLI.

An Act to authorize cities of this state to compel owners of tenement-houses to construct fire-escapes thereon.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for any city of this state, by general ordinance of the common council, board of aldermen, or other governing body, to provide for the construction of fire-escapes on all houses in said city, which, in their judgment, shall require the same, and to provide rules and regulations for the construction and regulation of said fire-escapes, and to provide penalties to be imposed on any owner who may refuse or neglect to comply with the provisions of said ordinance, which penalties may be recovered before any police justice or recorder of cities in which said offices exist, or before any justice of the peace in any other city.

Cities authorized to compel owners of tenement-houses to construct fire escapes.

2. *And be it enacted*, That all acts and parts of acts and charter provisions inconsistent herewith be and they are repealed.

Repealer.

Approved March 1, 1886.

CHAPTER XLII.

An Act to enable cities and municipalities of this state to create and maintain a paid fire department.

Cities authorized to create and maintain paid fire departments, &c.

1. BE IT ENACTED *by the Senate and General Assembly of State of New Jersey*, That it shall and may be lawful for the common council, board of aldermen or other governing body of any city or municipality of this state, at present without a paid fire department, to provide by general ordinance for the creation and maintenance of a paid fire department for such city or municipality, and also for the appointment by the mayor of such city or municipality, by and with the consent of the common council, board of aldermen or other governing body therein, of four citizens of such city or municipality, who shall hold office for the period of three years from the date of their appointment, and who shall serve without salary or compensation, who, with the said mayor, shall constitute a board of fire commissioners of said city or municipality, the powers and duties of which board shall be prescribed and regulated by the said ordinance.

Act, when to take effect.

Proviso.

2. *And be it enacted*, That this act shall take effect immediately; *provided*, that its provisions shall remain inoperative in any city or municipality until assented to by a majority of the legal voters thereof at any regular charter election to be held in such city or municipality; and the city clerk of such city or municipality shall, on the resolution of the common council, board of aldermen or other governing body of such city or municipality, provide for each elector voting at such election, ballots, to be printed or written, or partly printed or partly written, on which shall be either the words "For a paid fire department" or "Against a paid fire department."

3. *And be it enacted*, That for the purpose of creating and maintaining said fire department, and for purchasing the necessary engines, utensils and apparatus necessary for

the purpose, the said common council, board of aldermen or other governing body of said city or municipality shall have power to issue bonds to an amount not exceeding one thousand dollars to each one thousand inhabitants of such city or municipality, which bonds shall have not more than twenty nor less than ten years to run, and shall bear interest at a rate not to exceed five per centum per annum, and shall pledge the faith, credit and property of said city for the payment of the principal and interest thereon, and shall provide for the redemption of the same by taxation.

Bonds may be issued for creating and maintaining fire departments, and for the purchase of engines, &c.

4. *And be it enacted*, That all acts and parts of acts and charter provisions inconsistent herewith be and they are hereby repealed.

Repealed.

Approved March 1, 1886.

CHAPTER XLIII.

An Act to provide for the payment of bonds issued in anticipation of taxes levied in the cities of this state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That where in the cities of this state bonds have been issued in anticipation of taxes levied and assessed therein, and the same or any part thereof have fallen or may fall due before the payment and collection of the taxes pledged for their payment, and no other fund has been provided therefor, it shall and may be lawful to re-issue so much and such parts of such bonds as remain unpaid after the application thereto of the taxes paid and collected at the time they fall due, and in case of a re-issue of any bonds under the authority of this act, provision shall be made for raising in the tax ordinance annually a sum sufficient to pay the interest thereon as it accrues, and a sinking fund for their payment when due; and the amount so raised for a sinking fund shall be equal each year.

Bonds issued in anticipation of taxes and falling due may be re-issued.

Provision to be made to pay interest, &c.

Moneys collected to be used for redemption of bonds falling due.

2. *And be it enacted*, That all moneys paid and collected from taxes so anticipated, which would otherwise have been used for the redemption of the bonds so re-issued shall be used for the redemption of the series of such bonds next falling due.

3. *And be it enacted*, That this act shall take effect immediately.

Approved March 1, 1886.

CHAPTER XLIV.

An Act concerning cities in this state.

A further appropriation may be made to liquidate the indebtedness contracted for aid and relief of the poor.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That where the appropriation made for the aid and relief of the poor in any city of this state for the fiscal year ending in one thousand eight hundred and eighty-five, was insufficient to pay the indebtedness contracted for the necessary relief of the suffering and destitute poor of such city, it shall be lawful for the board of finance of any such city, or in the absence of such board, then the board of aldermen or common council of any such city, to make a further appropriation at any time in such amount not exceeding four thousand dollars, as said board of finance, or aldermen or common council may deem requisite for the purpose of liquidating such indebtedness.

Authorized to borrow money to pay indebtedness.

2. *And be it enacted*, That said board of finance, or aldermen or common council is hereby authorized to borrow the amount of money which it may by this act appropriate for the purpose of paying said indebtedness, and to issue proper evidence of indebtedness therefor, which shall be signed by the mayor, sealed with the seal and attested by the clerk; and the said board of finance, or aldermen or common council, as the case may be, shall provide for the repayment of the said borrowed money

in the tax levy to be made next thereafter, unless the same be previously paid.

3. *And be it enacted*, That this act shall take effect immediately.

Approved March 1, 1886.

CHAPTER XLV.

An Act to authorize the treasurer of this state to invest the "fund for the support of the public schools" of this state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the treasurer of this state, ^{Treasurer authorized to invest school fund in bonds of school district.} under the direction of the "trustees for the support of public schools," is authorized to invest the fund for the support of public schools of this state in the bonds of the several school districts legally issued for the purpose of building school houses, at a rate of interest not less than ^{Rate of interest.} five per centum per annum, payable half-yearly.

2. *And be it enacted*, That all acts or provisions inconsistent with the provisions of this act be and the same are hereby repealed, and that this act take effect immediately. ^{Repealer.}

Approved March 1, 1886.

CHAPTER XLVI.

An Act to prohibit owners of lands along public roads, where bridges are constructed over streams, from closing up access to such streams against the traveling public.

Land owners prohibited from closing up access to streams, &c.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever a stream of water crosses a public road and is there bridged, and such bridge does not extend to within five feet of the outside line of said road, it shall not be lawful for the adjoining land owners to construct a fence or put up any obstruction between the outside line of said road and the bridge, unless, in the judgment of the township committee of the township wherein the bridge is situate, or of the committees of both townships where the bridge is on a division line between two townships, such fence or obstruction is necessary for purposes of public safety; and in all cases where it is practicable so to do, the overseer of the road shall clear out and make passable a road, path or access to such stream of water on at least one side of such bridge, in order that horses, cattle, sheep or other domestic animals may drink from such stream of water.

Fence or obstruction to be removed.

2. *And be it enacted*, That whenever such a fence or obstruction now exists, or may be hereafter constructed, it shall be the duty of the township committee of the township wherein the bridge is located, or partly located, to notify the owner of the land adjoining, who maintains or erects such obstruction, to remove the same within ten days after service of such notice, on failure to do which such committee shall order the overseer of the road to remove such obstruction, and for such failure the landowner aforesaid shall forfeit and pay to the use of the township whose committee shall thus act the sum of ten dollars.

Failure of land owner to remove obstruction to forfeit ten dollars.

Act, when to take effect.

3. *And be it enacted*, That this act shall take effect upon the first day of May next.

Approved March 1, 1886.

CHAPTER XLVII.

A Supplement to an act entitled "An Act relative to the management of the sinking fund," approved March seventh, one thousand eight hundred and eighty-three.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the third section of the act to which this is a supplement, be amended so as to read as follows:

[3. *And be it enacted*, That the commissioners of the sinking fund are hereby authorized to loan to purchasers of state property, under this act, two-thirds of the amount of the purchase-money, the same to be secured by bond and mortgage on the premises so purchased, subject to the approval of the governor.]

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 1, 1886.

CHAPTER XLVIII.

An Act entitled "An act to authorize the issuing of bonds for the purpose of building court houses, clerks' offices, surrogates' offices and registers of deeds' offices in counties of this state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the board of chosen freeholders of any county in this state, by resolution approved by not less than three-fourths of all the members of such board, for the purpose of build-

Proviso.

ing court houses, clerks' offices, surrogates' offices and registers of deeds' offices in any such county, to issue bonds in the corporate name and under the corporate seal of the county, signed by the director and clerk of the board of chosen freeholders, and countersigned by the county collector of any such county, to an amount not to exceed one-half of one per centum of the assessed value of the taxable property of any such county; *provided*, that nothing in this act shall authorize any county, whose indebtedness exceeds, or would with said issue of bonds exceed, one-half of one per centum of the assessed value of its taxable property, to issue bonds or incur indebtedness for any of the purposes of this act; such bonds may be registered or coupon bonds, and shall bear a rate of interest not exceeding five per centum per annum, payable half-yearly, and shall be redeemable at any time not exceeding twenty years from their date, in the discretion of the board of chosen freeholders of any such county, which bonds may be sold, either at public or private sale, for the best price that can be obtained for the same, but shall not be sold for less than their par value; and all real estate and personal property within any such county shall be liable for the payment of the principal and interest that may become due on the bonds to be issued by virtue of this act.

Amount
required to pay
principal and
interest of
bonds to be
assessed and
collected.

2. *And be it enacted*, That the board of chosen freeholders of any such county shall have power and authority to provide by taxation for the payment of the said bonds and the interest thereon, and shall, yearly and every year, until the said bonds shall be redeemed and paid off, order and cause to be assessed and collected by tax, at the same time and in the same manner that other taxes in any such county are assessed and collected, a sum sufficient to pay the principal and interest on the said bonds as the same shall become due and payable.

Repealer.

3. *And be it enacted*, That all acts and parts of acts inconsistent with this act be and the same are hereby repealed, and that this act shall take effect immediately.

Approved March 1, 1886.

CHAPTER XLIX.

An Act concerning the removal of trust property out of this state, and providing proceedings therefor.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in case any trustee appointed and his beneficiary are both residents of another state, and such beneficiary is entitled to any property or interest, real or personal, in which shall be included property, or money or interest in the hands of any trustee, resident in this state, any legacy or distributive share or interest in the hands of any executor or administrator in this state, moneys in the hands of any trustee, executor or administrator, being the proceeds of the sale of lands under any judicial proceedings, or in pursuance of the provisions of any last will and testament, arising from the sale of any property under any judicial proceedings, or in pursuance of any last will and testament aforesaid, it shall be lawful for the ordinary or the orphans' court of the proper county, to make an order that the trustee so appointed in another state, may receive the rents, issues and profits of such real estate, and demand, sue for, collect and receive such legacy, distributive share, moneys or other personal property or interest aforesaid, and remove the same to the place of the residence of himself and beneficiary; and the delivery, transfer or payment of such property, or money or interest to such trustee so appointed in another state, after the making of such order, shall be a legal discharge and acquittance for the same.

Trust property
may be
removed out
of this state by
order of court.

2. *And be it enacted*, That before any such order as mentioned in the last section shall be made, proof to the satisfaction of the ordinary or orphans' court shall be made by certificate according to the acts of congress, in case the trustee or beneficiary reside in another state, or by attestation under the seal of the court wherein, or officer before whom, the proceedings were had, of the

Proof to be
made to court
of appointment
of trustee, &c.

Court may
order addi-
tional security
to be given.

appointment of such trustee, and that he has given adequate security as such trustee in double the amount in value of such property or interest at the place where such trustee and beneficiary reside; and in case the ordinary or orphans' court shall not be satisfied with the sufficiency of such security, additional security, to be given in this state, may be required, in such form as the ordinary or orphans' court shall direct.

Notice of appli-
cation for
removal of
property to be
given.

3. *And be it enacted*, That twenty days' notice of an application for the removal of property under the provisions of this act shall be given to the resident trustee, or the executor or administrator in whose custody such property, moneys or interest shall be, and the ordinary or orphans' court may direct notice of such intended application to be given to other persons interested; *provided*, that the ordinary or orphans' court may reject such applications and refuse such order whenever it shall appear that it is for the interest of the beneficiary and parties in interest that such removal shall not take place; and no order shall be made in any case where such removal will conflict with the terms or limitations by which such beneficiary owns, or is entitled to such property, or the interest of any citizen of this state in such property or interest may be prejudiced.

Proviso.

4. *And be it enacted*, That this act shall take effect immediately.

Approved March 6, 1886.

CHAPTER L.

An Act to amend an act entitled "An act to authorize cities to establish and maintain free public libraries and reading-rooms," approved March fourteenth, one thousand eight hundred and seventy-nine.

Section
amended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section one of the act entitled "An act to authorize cities to establish and maintain

free public libraries and reading-rooms," approved March fourteenth, one thousand eight hundred and seventy-nine, be and the same is hereby amended so as to read as follows :

[1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the common council of each incorporated city of this state shall have power to establish and maintain a public library and reading-room for the use and benefit of the inhabitants of such cities, and for such purpose may levy a tax of not more than one-fifth of one mill on the dollar annually on all the taxable property in the city, such tax to be levied and collected in like manner with other general taxes of said city, and to be known as the "library fund;" and whenever in any such city a public library and reading-room shall have been established, under and pursuant to the provisions of this act, and shall have existed for three years or more, and the title to property of the value of at least thirty thousand dollars shall have become vested in the board of directors of such library and reading-room, the board of directors of such library and reading-room shall, in or before April of each year, determine the amount, not exceeding one-half of one mill on the dollar on all the taxable property in the city, which will be required in such year for the maintenance of such library and reading-room, and, by its president, certify such amount to the common council of such city, and such common council shall thereupon order and cause to be assessed and raised by tax in such year for such purpose, the amount so certified, such tax to be levied and collected in like manner with other general taxes of said city, and to be known as the "library fund."]

Common council empowered to establish a public library.

2. *And be it enacted*, That section nine of the act hereby amended be and the same hereby is amended so as to read as follows :

Section amended.

[9. *And be it enacted*, That any person desiring to make donations of money, personal property or real estate for the benefit of such library, or for the establishment or maintenance of an art gallery and museum in connection therewith, may do so, and is empowered to vest the title to the money, personal property or real estate donated in the board of directors created under this act for the time

Donations of money or property, how vested.

being, to be held and controlled by such board, and its successors, when accepted, according to the terms of the deed, gift, devise or bequest of such property; and any building or real estate so donated may be accepted by such board upon and subject to a trust that the same, or such part thereof as the donor or donors shall designate and appoint for such purpose, shall be set apart and appropriated and forever maintained as and for an art gallery and museum for the encouragement of art and scientific study among the inhabitants of the city where located, subject to such reasonable rules and regulations concerning admission to and the use of the same, not inconsistent with the terms of the deed, gift, devise or bequest of such property, as such board or its successors shall from time to time establish; and any money or personal property so donated may be accepted by such board upon and subject to a trust that the same shall be applied to or towards the maintenance or enlargement of any such art gallery and museum; and all moneys received for admissions to or the use of such art gallery and museum shall be applied to the maintenance or enlargement of such art gallery and museum, or to the general purposes of such library and reading-room, as the board of directors shall from time to time determine; and as to all property so donated the said board shall be held and considered to be special trustees.]

3. *And be it enacted*, That this act shall take effect immediately.

Approved March 6, 1886.

CHAPTER LI.

An Act to amend an act entitled "A supplement to an act entitled 'An act to remove the fire and police departments in cities of this state from political control,' " approved May second, one thousand eight hundred and eighty-five, which supplement was approved January twenty-seventh, one thousand eight hundred and eighty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the supplement to the act entitled "An act to remove the fire and police departments in cities of this state from political control," approved on the twenty-seventh day of January, one thousand eight hundred and eighty-six, be and the same hereby is amended to read as follows: Section amended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That on or before the first day of March, in each year, the said boards of fire and police commissioners, respectively, shall estimate in detail the expenses of the fire and police departments for the ensuing year, and shall transmit such estimate to the common council of such city, which sums so estimated the said body shall cause to be assessed and raised by making provision therefor in the tax ordinance of each year; *provided, however*, that if such estimate for the fire departments shall in any year exceed an amount equal to one mill and eleven-hundredths of a mill on one dollar of the total valuation of the assessed property in such city, as ascertained by the assessors' returns of the previous year, and if such estimate for the expenses of the police department shall in any year exceed an amount equal to one mill and nine-tenths of a mill on every one dollar upon such valuation, that it shall be optional with such common council whether the excess or any part thereof How expenses to be estimated and assessed. Proviso.

Proviso.

be raised by taxation in such city or not; *provided, further*, that the said boards shall not make any expenditure or incur any indebtedness exceeding the amount so appropriated and raised.

Fines, penalties, &c., from police courts, and receipts from sale of material to be used for support of fire departments.

2. *And be it enacted*, That all fines, penalties and other receipts from police courts, where such courts are or may be established in such cities, shall be paid into the treasury of such city, to be appropriated and used as the common council may direct, and that all receipts from the sale of material or from other sources, which may be received by the fire department in any such city, shall be used by the said board for the support of such department in addition to the appropriation made therefor by the common council, as herein provided.

Duties of city treasurer.

3. *And be it enacted*, That whenever and as often as the common council of any such city shall, by resolution, direct the treasurer of such city to credit the said boards with a sum or sums of money for the support of their respective departments, on account of the appropriations so to be made as aforesaid, it shall be the duty of such treasurer, immediately upon receipt of a certified copy of such resolution, to enter on his books the sum or sums of money therein mentioned to the credit of the respective boards, and to pay on presentation all drafts drawn upon him, properly signed, countersigned and attested as herein provided, to an amount not exceeding the balance remaining on his books to the credit of the said boards respectively, and to preserve such drafts to be exhibited in the settlement of his accounts as treasurer of such city, and that hereafter all drafts or warrants for the payment of bills and claims for police and fire purposes which have been approved and ordered paid by the police or fire commissioners, shall be issued by the said boards and signed by the president and secretary thereof, shall be delivered to the city auditor, accompanied by the vouchers therefor; and the said auditor shall countersign said warrants and deliver them to the person or persons to whom the same may be made payable, and keep a record thereof as required for other accounts of the city, and no such draft or warrant shall be paid by the city treasurer unless so countersigned; and it shall be the duty of the secretary of the said boards of police and fire commissioners, at

Duties of auditor.

the end of each month, to deposit in the office of the said auditor a report of the amounts due to the several members of the police and fire departments for salaries for the current month for which warrants are so issued, and the said auditor shall take a proper receipt from all persons receiving warrants on account of the police and fire departments in a book kept for such purposes.

Duties of
secretary of
police and fire
commis-
sioners.

4. *And be it enacted*, That each of such commissioners shall receive an annual salary not exceeding one thousand dollars, to be paid as specified in the act to which this is a supplement, and that the duties of clerk and secretary of said boards respectively, where distinct offices by these names are created, may be performed by the same person in all cases where the said boards shall so order and direct.

Compensation
of commis-
sioners.

5. *And be it enacted*, That all acts and parts of acts inconsistent with this act be and the same are hereby repealed, and that this act shall take effect immediately.

Repealer.

Approved March 6, 1886.

CHAPTER LII.

An Act to amend an act entitled, "A supplement to an act entitled 'A supplement to an act to incorporate trustees of religious societies'" [Revision], approved April ninth, one thousand eight hundred and seventy-five, approved February tenth, one thousand eight hundred and eighty-five.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the first section of the act entitled "A supplement to an act entitled 'A supplement to an act to incorporate trustees of religious societies'" [Revision], approved April ninth, one thousand eight hundred and seventy-five, approved February tenth, one

Section
amended.

thousand eight hundred and eighty-five, be and the same is hereby amended to read as follows :

Trustees of
religious
societies, how
incorporated.

[1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for any diocesan convention, presbytery, classis, synod, annual conference, or other governing body having jurisdiction over a number of incorporated or unincorporated churches, congregations or societies of any church or religious denomination in this state, at any stated or regularly convened meeting thereof, to elect as trustees certain discreet persons, who, upon filing the certificate hereinafter provided, shall be and become a body corporate, capable of taking, holding, managing and dealing with property, both real and personal, and that the presiding officer and clerk or secretary of such governing body, at the time of such election, shall immediately thereafter prepare and file a certificate in writing under their hands and seals, which certificate shall contain, first, the name or title by which such body corporate shall be known, and, second, the names of the trustees so as aforesaid elected, and the times for which they were respectively chosen to serve, which certificate, duly acknowledged by said presiding officer and clerk or secretary, shall be filed in the office of the secretary of state; and such trustees, upon the filing of such certificate, shall thereupon be and become a body corporate by the name therein mentioned; and that any such governing body may, in its discretion, elect more than one set of trustees in manner aforesaid, who may in like manner become incorporated, and who shall adopt such names as shall serve to distinguish and designate them, reference being had to the object of their trust; and that such trustees shall be elected for three years, one or more each year, except that the first trustees shall be elected, one-third of the number for one-year, one-third for two years and one-third for three years, all of which trustees shall, when so required by the governing body by which they were elected, furnish to said body a statement and account of the particulars and items of their trust, and permit an auditing of the same and an inspection of their books and investments and all things pertaining thereto, at such time and in such mode as said governing body shall direct.

Certificate of
incorporation.

Where filed.

Term of
trustees.

2. *And be it enacted*, That all acts and parts of acts ^{Repealer.} inconsistent herewith be and the same are hereby repealed, and that this act shall take effect immediately.

Approved March 6, 1886.

CHAPTER LIII.

An Act concerning street railroad companies.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Capital stock,} *the State of New Jersey*, That whenever any horse or street ^{how increased.} railroad company of this state shall have paid or shall pay out of its net earnings from time to time its mortgage bonds or other funded debt, or shall have applied and used, or shall apply and use, such net earnings for the extension of its road, the laying of additional tracks, or to the purchase of lands for the necessary uses of said company and the improvements thereof, such company may increase its existing authorized capital in an amount equal to the amount paid for, or on account of, any such bonds or other debt, and to the actual cost of any such extension and improvements; and upon making any such increase of its capital stock, such company shall, within three months thereafter, file with the secretary of state a written statement, sworn to and subscribed by its presi- ^{Statement of} dent and treasurer, showing the amount of such increase, ^{increase to be} the amount so paid on account of its bonds or other debt ^{filed.} and the cost of said extension and improvements.

2. *And be it enacted*, That any street railroad company ^{May use other} in this state may use electric or chemical motors or grip ^{power.} cables as the propelling power of its cars instead of horses; *provided*, it shall first obtain the consent of the municipal ^{Proviso.} authorities having charge of the public highways or streets on which it is proposed to use such motors or grip cables.

3. *And be it enacted*, That this act shall take effect immediately.

Approved March 6, 1886.

CHAPTER LIV.

An Act to repeal an act entitled "A further supplement to an act concerning inns and taverns," approved April seventeenth, one thousand eight hundred and forty-six, which supplement was approved March twenty-third, one thousand eight hundred and eighty-three.

Act repealed. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the act entitled "A further supplement to an act concerning inns and taverns," approved April seventeenth, one thousand eight hundred and forty-six, which supplement was approved March twenty-third, one thousand eight hundred and eighty-three, be and the same is hereby repealed.

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 6, 1886.

CHAPTER LV.

A Further Supplement to an act entitled "An act to incorporate trustees of religious societies" [Revision], approved April ninth, one thousand eight hundred and seventy-five, vesting the title to the property of extinct Baptist churches or Baptist religious societies in "The New Jersey Baptist State Convention."

Property
vested.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all the property, both real and personal, belonging to or held in trust for any Baptist

church or Baptist religious society that has or shall become extinct, shall vest in and become the property of "The New Jersey Baptist State Convention" and its successors and assigns; *provided*, that nothing herein contained shall affect the title to any Baptist church or Baptist religious society that is held by any of the Baptist associations of this state; *and provided, further*, that this act shall not affect the reversionary interest of any person or persons in any such property. Proviso.

2. *And be it enacted*, That all acts and parts of acts inconsistent with this act be and the same are hereby repealed, and that this act shall be deemed a public act and take effect immediately. Repealer.

Approved March 6, 1886.

CHAPTER LVI.

An Act to authorize the construction of drains and sewers upon and across private property upon suitable compensation to the owner or owners thereof in incorporated towns in this state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That where, in the act of incorporation or any supplement thereto of any incorporated town, or any municipality governed by commissions, in this state, no express provision is made for the construction of sewers, drains, culverts and other works for the proper drainage of any part of such town upon or across private property, and no mode of procedure to effect the condemnation of lands for such purpose and to provide suitable compensation to the owners thereof has been laid down, the board of commissioners or other governing body of such incorporated town are hereby invested with full powers to construct such sewers, drains, pumps, docks, dams, tide-banks and such other works as they Authorized to construct sewers, drains, &c.

Compensation
for lands, how
ascertained.

shall deem necessary, either upon or across any road or street in such town and also upon or across any private lands in such town, with full powers of condemnation of lands for that purpose, in which latter case they shall award the owner or owners of such lands just compensation therefor and shall add the amount of such compensation to the cost of constructing such works; before fixing the compensation in any case such board of commissioners or other governing body shall notify the owner or owners of the lands sought to be taken for the purpose aforesaid to appear before them, to the end that such owner or owners may have full opportunity to be heard upon the question of the value of such land; the award of compensation shall be final, unless such board of commissioners or other governing body shall reconsider the same and make a new award, or such owner or owners shall appeal within the time provided in the act incorporating such town, or some supplement thereto, and such award shall bear interest at the rate of six per centum per annum from the date of making the same until paid.

Expense of
work to be
assessed upon
land benefited.

2. *And be it enacted*, That the expense of such works shall be assessed upon land specially benefited by such improvement in proportion to the benefit received thereby, as nearly as such board of commissioners or other governing body can ascertain the same, and the balance of such expense, if any there be, shall be provided for and paid out of the town treasury as hereinafter provided; before such assessment of benefits shall be made said board of commissioners or other governing body shall give notice for two weeks successively, in a newspaper published in such town, that they will meet at a certain time and place mentioned in such notice to hear the views of all persons interested in the matters referred to in such notice, at which time and place such board of commissioners or other governing body shall meet and give full and reasonable opportunity to all persons interested to express their views, and may adjourn from time to time, and shall thereupon proceed to make a just and equitable assessment of the costs and expenses of such works, including damages for lands or other property taken, upon the lands specially benefited by such works in proportion to the benefits acquired by such lands, not

Notice to be
published of
meeting of
commis-
sioners.

Notice of
assessment
to be sent to
land owners.

exceeding in any case the special benefit so received; within ten days after making such assessment of benefits a notice shall be sent through the post office to each owner of lands so assessed (as nearly in each case as the name and address of the owner can be ascertained), stating the amount assessed against such lands, and that such assessment will be open for inspection during the next fifteen days, and that said board of commissioners or other governing body will then meet, at a time and place in such notice specified, to hear objections and to revise and correct and finally confirm such assessment; at which time and place such board of commissioners or other governing body shall meet and give all parties appearing before them an opportunity to be heard, and may adjourn from time to time, and may reconsider such assessment and may make any alteration therein they shall deem just, and thereupon they shall revise, correct and finally confirm the said assessment, and within ten days thereafter shall file such assessment in the office of the clerk of the county, and shall give notice of such filing by publication once a week for four weeks in a newspaper published in such town; and such final determination of such board of commissioners or other governing body shall be final and conclusive, unless an appeal be taken as provided in the act incorporating such town, or some supplement thereto.

Parties may be heard.

Assessment to be filed, &c.

3. *And be it enacted*, That from and after the filing of such assessment in the office of the clerk of the county, such assessment shall be and remain a first and paramount lien upon each lot of land or property assessed for the amount assessed thereupon, with interest thereon, and all costs and fees thereon, until the same shall be paid and satisfied, notwithstanding any devise, descent or alienation of such land, or any judgment, mortgage or incumbrance whatsoever thereon, and notwithstanding any mistake in the name or names of the owner or owners, or any omission to name the owner or owners thereof, and any assessment in which such mistake or omission occurs shall nevertheless be a valid and effectual lien as aforesaid upon the lands assessed; and if such assessment, with interest, be not paid within one year from the time when the same is payable, then

Assessment to remain a lien until paid.

Assessment not paid in one year, land to be sold.

the land upon which such assessment is a lien shall be sold to pay the same, with interest thereon at the rate of one per centum per month from the time when the same was made payable, together with all fees, charges and expenses of collection and sale, in the same manner as land is authorized to be sold for unpaid taxes in said town.

When cost and expenses exceed benefits to land, excess to be raised by general taxation.

4. *And be it enacted*, That in case the cost of constructing such sewer or sewers and the erection and construction of such other works as are deemed necessary for the purposes aforesaid shall exceed the benefits to lands specially benefited thereby, such excess of cost and expenses shall be raised by general taxation in such town, to be assessed, levied and collected in the same manner as other taxes for town purposes are assessed, levied and collected.

Authorized to issue certificates of indebtedness.

5. *And be it enacted*, That the board of commissioners or other governing body shall have power to issue certificates of indebtedness, or improvement certificates, to the contractors, for work done, to be paid out of moneys raised for the purposes specified in this act.

Notice, how served.

6. *And be it enacted*, That the notice mentioned in the first section of this act shall be served upon such owner or owners, either personally or upon some member of the family above the age of fourteen, if such owner or owners shall be resident of the county wherein such town is situate, and shall be served at least ten days before the day of meeting, and if not a resident of the county then such notice shall be mailed to the post office address of such owner or owners, as nearly as such board of commissioners or other governing body can ascertain the same; at least ten days before such day of meeting.

7. *And be it enacted*, That this act shall take effect immediately.

Approved March 6, 1886.

CHAPTER LVII.

A Supplement to an act entitled "An act relative to the jurisdiction and practice of district courts in this state," approved March twenty-seventh, one thousand eight hundred and eighty-two.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in actions on contracts, ^{In actions on contract defendants} whether under seal or not, hereafter brought in any of ^{may set up defense in abatement of damages.} the district courts established by law in any city of this state, whether by general or special statute, the defendant may set up as a defense in abatement of damages to be recovered by the plaintiff, a defect in, or partial failure of, the consideration of the contract sued on, and may also recoup any damages which he may have sustained by reason of the non-performance or defective performance of any part of the same contract by the plaintiff; *provided*, that in all cases where it shall be necessary to ^{Provide.} file a plea, a notice of the particulars of such defense be annexed to the plea and filed therewith.

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 6, 1886.

CHAPTER LVIII.

Supplement to an act entitled "An act to encourage improvement of real property in this state" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy four.

Purposes for which associations may be formed.	1. BE IT ENACTED <i>by the Senate and General Assembly of the State of New Jersey</i> , That it shall and may be lawful for any number of persons, not less than five, to associate themselves into a company for the purpose of improving, preserving, protecting and beautifying any sidewalks and highways in any district or territory in any township in this state, and for the purpose of planting, cultivating and maintaining shade trees or ornamental trees along or on the same, upon making a certificate in writing, under their hands and seals, setting forth :
Certificate to be filed.	
Name.	I. The corporate name which they propose to assume ;
Boundaries of district.	II. The boundaries of the district or territory in which such sidewalks or highways are or may be ;
Stockholders.	III. The names and residences of the members and stockholders of such association, and the number of shares held by each one ;
Capital stock.	IV. The total amount of the capital stock of said company, which shall be divided into shares of ten dollars each, which certificate shall be proven or acknowledged and recorded in the clerk's office of the county in which such district or territory is situate, and said certificate so recorded, or a copy thereof duly certified by such clerk, shall be evidence for or against said company in all courts, and upon making and recording said certificate as afore-said, such company shall be deemed and taken to be a corporation in fact and in law, with all the powers conferred in the first section of the act concerning corporations.
Certificate, where recorded.	
Moneys subscribed, how used and applied.	2. <i>And be it enacted</i> , That all moneys subscribed by the members of said association, or received in any way

by said association, shall be used and applied, as far as practicable, towards the making, maintaining, preserving and beautifying said sidewalks and highways, in accordance with the purposes aforesaid specified in such certificate, but nothing herein contained shall be construed to permit any unnecessary obstruction to the public travel in any of said highways at any time.

3. *And be it enacted*, That this act shall take effect immediately.

Approved March 6, 1886.

CHAPTER LIX.

A Supplement to the act entitled "An act for the establishment of orphan asylums," approved March ninth, one thousand eight hundred and seventy-seven.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the sixth section of the said act shall be and hereby is amended so as to read as follows:

[6. *And be it enacted*, That any association organized as aforesaid shall be governed by a board of managers of not less than five nor more than twenty-five, who shall be elected by the members of the association in such manner as the by-laws may provide; the first election to be held within three months next after filing the certificate of incorporation.]

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 6, 1886.

CHAPTER LX.

An Act to authorize cities to commute and adjust for a fixed sum the payment by abutting land owners of special sewer taxes.

Owner of land
may commute
for a fixed sum
the payment of
annual tax.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That wherever in any city of this state a special sewer tax is levied annually, in pursuance of its charter, upon lands fronting upon streets in which sewers are constructed, in proportion to such frontage, for the purpose of raising money for the payment of the annual interest upon sewer bonds heretofore issued by such city, it shall be lawful for any owner or occupant of lands subject or liable to be so taxed, to commute for a fixed sum the payment of such annual tax, in the manner hereinafter provided.

Cities author-
ized to com-
mute and
adjust annual
sewer tax.

2. *And be it enacted*, That it shall be lawful for the board of finance and taxation, or other board having control of the financial affairs of any city in this state, or the common council or other legislative body of any city having no such board, upon the application of any person having a legal or equitable interest in any land or lands subject to annual sewer tax, as mentioned in section one, to commute and adjust such annual sewer tax for the payment of a certain fixed sum in gross to the city, the amount of which gross sum shall be fixed by the said body as justly and equitably as shall be possible; in fixing such gross sum, said board shall have regard to the following considerations: first, the original cost of the sewer in front of said land or lands; second, the cost of main or trunk sewer or sewers necessary to the use of the sewer in front of said land or lands; third, the amount of special or peculiar benefit actually received by said lands by reason of the construction of said sewer or sewers; fourth, the amount already paid to the city for special sewer tax on account of said land or lands; fifth, the amount of special

sewer tax assessable annually upon said land or lands under the city charter, and, sixth, the length of time for which such annual assessment would continue under the provisions of said charter; whenever the said body shall have fixed the gross amount so to be paid in commutation of such annual sewer tax, in any case where application shall have been made to them as aforesaid, they shall file a statement thereof in the office of the person charged with the collection of assessments in such city, thereupon the sum so fixed shall become a debt due from the person so applying to the city, for which an action at law will lie, and, in addition thereto, shall be a first lien upon the said land or lands, and shall be enforced and collected in the same manner that assessments for improvements are enforced and collected in such city; thereafter, no further special sewer tax as aforesaid shall be levied upon said land or lands.

Statement to
be made and
filed.

Sum fixed to
be a first lien
on lands, and
how collected.

3. *And be it enacted*, That whenever the cost of any sewer shall have been assessed upon the lands benefited in pursuance of this act, no further annual special sewer tax shall be levied or imposed thereon by such city.

When lands
are exempt
from further
special sewer
tax.

4. *And be it enacted*, That all money received for the commutation of sewer tax or for such assessments shall be used to pay the interest upon sewer bonds of such city now outstanding, so far as may be necessary for that purpose in the year wherein the same is collected; any surplus thereof shall be applied to the payment of the principal of any sewer bonds that may mature in the year wherein the same is collected; any further surplus thereof shall be employed as a sinking fund, under the charge and control of the department of finance, to be invested under the direction of such department as hereinafter directed; all interest received upon such fund shall be used to pay interest on said sewer bonds; the principal of such fund shall be employed from time to time to pay the principal of any such sewer bonds as they may mature until the entire fund is expended.

Moneys
received for
commutation
of sewer tax,
how used.

5. *And be it enacted*, That the money in such sinking fund may be invested in bonds of the United States, the bonds of the state of New Jersey or of any county thereof, the bonds of such city that may be issued after such sinking fund is established, or in any temporary loans or

Moneys in
sinking fund,
how invested.

Proviso.

certificates of such city; *provided*, the bonds or temporary loans or certificates of such city shall not bear a less rate of interest than four per centum per annum, or a greater rate of interest than the legal rate.

6. *And be it enacted*, That this act shall take effect immediately.

Passed March 9, 1886.

CHAPTER LXI.

An Act to protect persons buying fruit trees and fruit briers.

Penalty for misrepresenting name and nature of fruit trees and briers.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any person selling fruit trees or fruit briers, who shall misrepresent the name or nature of said fruit trees or fruit briers, shall be guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine not exceeding one hundred dollars, or imprisonment in the county jail for a term not exceeding three months, or both, at the discretion of the court.

Passed March 9, 1886.

CHAPTER LXII.

A Supplement to an act entitled "An act providing for additional powers and certain changes in the government of certain localities governed by commissioners," passed April seventeenth, one thousand eight hundred and eighty four.

May adopt a municipal title and change election day.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in all municipalities, governed by a board of commissioners, it shall be lawful for

the governing board, by ordinance, to adopt a municipal title designating such municipality, and appoint an earlier date than the second Tuesday in May for holding the municipal elections.

2. *And be it enacted*, That said board of commissioners ^{May adopt title by ordinance.} may, by ordinance, adopt a title designating said board of commissioners.

3. *And be it enacted*, That all acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and that this act take effect immediately. ^{Repealer.}

Passed March 9, 1886.

CHAPTER LXIII.

A Supplement to an act entitled "Supplement to an act to enable the owners of the tide swamps and marshes to improve the same, and the owners of meadows already banked in and held by different persons to keep the same in good repair," passed November twenty-ninth, one thousand seven hundred and eighty-eight, said supplement was approved March tenth, one thousand eight hundred and eighty-two.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section two of the act to ^{Section amended.} which this is a supplement be amended so that it shall read as follows:

[2. *And be it enacted*, That all acts and parts of acts, ^{Repealer.} general or special, inconsistent with the provisions of this act be and the same are hereby repealed.]

2. *And be it enacted*, That this act shall take effect immediately.

Passed March 10, 1886.

CHAPTER LXIV.

An Act to provide for the revaluation of meadow and marsh lands, and providing for making a new measurement of the same for the purpose of making future assessments on the lands for the erection and maintenance of banks, dams, sluices and water-ways sufficient to prevent the tide from overflowing the same.

Owners
empowered to
elect commis-
sioners.

Commis-
sioners to
make survey
and map and
valuation of
premises.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That wherever any company shall exist under any act of the legislature of this state to enable the owners and possessors of meadow and marsh lands in any portion of the state to erect and maintain banks, dams, sluices and water-ways sufficient to prevent the tide from overflowing the same, that at any annual meeting of said company, but not oftener than once in five years, the owners and possessors of said meadow and marsh lands may proceed to elect by ballot, in the manner provided for elections by meadow companies in and by the supplement to the general meadow law, approved March tenth, anno domini one thousand eight hundred and eighty-two, three judicious and disinterested freeholders as commissioners, who, or a majority of whom, after a notification of their election by the managers of said company, or a majority of them, shall view the said premises and cause each owner and possessor's share to be exhibited on a correct plot or map to be made either from previous measurements or new survey, setting forth the number of acres held by each owner, and also making a new valuation of the same, having regard to the quantity, quality and location; and their map, report and valuation, under their hands, or under the hands of a majority of them, in writing, shall be given to the managers of said company, and shall remain in their possession during their continuance in office, and at the expiration

of such term be delivered to their successors, and shall be entered in the clerk's book and received as evidence of each owner's quantity of acres, and the value that each lot is rated at, and all future assessments shall be made in proportion thereto, unless changed thereafter, not oftener than once in five years, in like manner as provided in this act.

2. *And be it enacted*, That notice of an intention to take proceedings at any annual meeting under this act shall be given to the owners and possessors of such meadow or marsh land to be affected thereby. Notice to be given to owners of land.

3. *And be it enacted*, That the duties of such commissioners, mentioned in section one of this act, shall be performed within four months of the time of the aforesaid notice of their election, and their compensation shall be such as may be determined upon by vote at the annual meeting electing them. When duties of commissioners are to be performed.

4. *And be it enacted*, That this act shall take effect immediately.

Approved March 10, 1886.

CHAPTER LXV.

A Supplement to an act entitled "An act to incorporate the chosen freeholders in the respective counties of the state," approved April sixteenth, one thousand eight hundred and forty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the board of chosen freeholders of any county to provide, for the use of the county court at the court-house, a set of New Jersey reports and statutes, and such text books as may be designated by the circuit judge, the amount to be expended for the same not to exceed five hundred dollars for the first year's purchases, and one hundred dollars for any succeeding year. County courts to be provided with reports and text books.

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 16, 1886.

CHAPTER LXVI.

A Supplement to an act entitled "An act relative to oaths and affidavits" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

Com-
mis-
sioners of
deeds author-
ized to take
affidavits and
affirmations.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any affidavits or affirmations authorized by the laws of this state to be taken and subscribed before a justice of the peace of this state, which may have been or shall hereafter be taken and subscribed before a commissioner of deeds of this state, shall be deemed as valid and effectual in all civil causes, suits and proceedings, as if taken and subscribed before a justice of the peace.

2. *And be it enacted*, That this act shall take effect immediately.

Approved, March 16, 1886.

CHAPTER LXVII.

A Further Supplement to the act entitled "An act to secure to creditors an equal and just division of the estates of debtors who convey to assignees for the benefit of creditors" [Revision], approved March seventh, one thousand eight hundred and seventy-four.

Assignee may
proceed not-
withstanding
final report
has not been
made.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in all cases where assignment has heretofore been made for the benefit of creditors

under the act to which this is a further supplement, and the assignee has not for any reason made his final report within the time prescribed by law, it shall be lawful for said assignee to proceed in all things as he might have done if the time prescribed by law had not expired; *pro-Provido.* *vided*, he shall file his final account within six months from the approval of this act.

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 16, 1886.

CHAPTER LXIX.

A Further Supplement to an act entitled "An act relative to sales of lands under a public statute or by virtue of any legal proceedings" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That no sale of lands heretofore made shall be invalidated by the omission of a portion of the newspaper advertising provided for in the act to which this is a supplement, or any other act supplementary thereto; *provided*, that the advertisement of such sale shall have been advertised in two newspapers printed and published in the county wherein such lands and real estate are situate, one of which newspapers shall have omitted to state the hour and place of sale; *provided fur-Provido.* *ther*, that all the other provisions of said act shall have been complied with, and that this act shall not be construed to regulate any sales of land to be made after this act goes into effect.

2. *And be it enacted*, That this act shall take effect immediately.

Passed March 16, 1886.

CHAPTER LXX.

Supplement to an act entitled "An act to provide for drainage and sewage in densely populated townships in which there is a public water-supply," approved March fourth, one thousand eight hundred and eighty-four.

Copy of report
of commis-
sioners to be
delivered to
collector.

Collector to
give notice of
assessment.

Assessment to
draw interest.

Collector to
sell lands.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in case any assessment for benefits for any improvement shall be made under the provisions of the act to which this is a supplement, and the supplement thereto, it shall be the duty of the township committee of the township in which such improvement shall have been made, to cause a copy of the report of the commissioners making such assessment, duly certified by the clerk of the county in which said township is situate, to be prepared and delivered to the township collector or receiver of taxes of such township, who shall enter the same in a book to be kept in his office for that purpose, to be called the book of assessments for improvements; and said collector or receiver of taxes shall give notice for four weeks in some newspaper circulating in said township that said report has been delivered to him, and requiring payment of the several sums assessed against any owners of land and real estate for such improvement within sixty days from and after the confirmation of said report by the circuit court of said county; and in case said assessment shall remain unpaid at the expiration of sixty days from and after the first publication of said notice, the said assessment shall draw interest thereupon from and after that time at the rate of one per centum per month; and it shall be the duty of the collector or receiver of taxes in said township to proceed forthwith in the collection of said assessment by a sale of the land in respect of which such assessment may have been made, as hereinafter provided.

2. *And be it enacted*, That the said collector or receiver of taxes shall thereupon give a second notice by an advertisement in two newspapers circulating in said township, that unless such assessment, with interest thereon as aforesaid, and all costs and fees, shall be paid to him at his office within thirty days after the first publication of the said second notice, he shall proceed at a certain time and place therein specified, and between the hours of one and five o'clock in the afternoon, to make sale in accordance with the provisions of this act of the said lands and real estate whereon the said assessments have been imposed or may be a lien; and that said second notice shall contain a brief abstract of said assessment, showing the names of the owner or owners, when known, a brief description of said lands and real estate and the amount of unpaid assessments due thereupon, and that it shall be lawful to incorporate more than one assessment in said notice.

Collector to advertise notice, and on failure of owners to pay assessment to sell lands.

What notice to contain.

3. *And be it enacted*, That at the time and place, and between the hours mentioned in said notice, the said collector or receiver of taxes shall proceed to sell, by public auction, the several parcels of land and real estate upon which the said assessment shall remain due and unpaid for the lowest term of years (but in no case exceeding fifty years) for which any person will take the same and pay the amount of such assessment, with the interest thereon as aforesaid, and all costs and fees, including the expense of advertisement and sale; that such payment shall be made by the purchaser before the close of the sale, and if not so made, the said collector or receiver of taxes may resell the property or the township may have its action against the purchaser for the payment of the whole amount due, with the interest thereon as aforesaid; that the sale may be adjourned from time, at the discretion of said collector or receiver of taxes, until all the said lands and real estate shall have been disposed of, and that such parcels as are not bid for when offered for sale or a resale, as aforesaid, shall be struck off to the township for a term of fifty years.

Lands to be sold at public auction.

4. *And be it enacted*, That at or after the close of the sale the said collector or receiver of taxes shall make out, under his hand and seal, and deliver to each purchaser a

Purchasers to receive certificates of sale.

What certificates to contain.	certificate of the sale of each lot and parcel of said lands and real estate so purchased by him; that such certificate shall contain a short description of the property, and shall state the term of years for which it was sold, as well as the time when the right to redeem the same will expire; that such certificate shall also show the particular assessment under which the sale was made, together with the amount thereof, and the amount of interest, costs, fees and expenses; that such certificate shall be presumptive evidence of the facts therein stated, and shall be recorded in the office of the township clerk in books to be kept for the purpose, and that the said certificate may be assigned, but that no such assignment shall have any effect until the same shall be recorded as aforesaid in the office of the township clerk, and that no declaration of sale shall be executed and delivered to such purchaser or assignee, as hereinafter provided, until the said certificate shall have been canceled and filed with the township clerk, unless the loss or destruction thereof be established by affidavit to the satisfaction of the township committee.
Certificates to be recorded.	5. <i>And be it enacted</i> , That the collector or receiver of taxes shall keep a full and accurate record in his office of all his proceedings upon such sales, including a statement of all certificates granted, and all redemptions of property sold by him, to which record all persons claiming to be interested shall have free access at all reasonable times.
Record to be kept of all proceedings.	6. <i>And be it enacted</i> , That if the township becomes the purchaser of any lands and real estate at any such sale, the certificate of sale shall be assignable as aforesaid, and all the other provisions of the act in relation to the sale shall apply to the township the same as to any other purchaser.
Certificates assignable if township is the purchaser.	7. <i>And be it enacted</i> , That no mortgagee or assignee of any mortgage, whose mortgage or deed of assignment, as the case may be, shall have been duly registered before any such sale for unpaid assessment, shall be divested of his rights in the property covered by such mortgage, unless six months' notice of such sale shall have been given to him in writing by the purchaser, or by any person claiming under him; that such notice shall be served personally upon the said mortgagee or assignee, if a resident of said county, or if he be not so resident, by being
Mortgagees' rights not divested unless notice is given..	
How notice to be served upon mortgagee.	

directed to him at his place of residence, as stated in the mortgage or deed of assignment, and by being deposited in the post office of said township, and that in the latter case said notice shall likewise be published for the space of two months in a newspaper circulating in said township, and that within one month after such service, or service and publication of said notice, it shall be the duty of the person serving or causing the same to be served, to place in the office of the said collector or receiver of taxes a copy of said notice, together with affidavit of some person (who shall be certified by the officer taking the affidavit to be a credible person) as to the manner of service, or service and publication thereof.

8. *And be it enacted*, That the owner, mortgagee, occupant or any person having a legal or equitable interest in any lands and real estate sold as aforesaid, may redeem the same at any time within three years thereafter, by paying to the collector or receiver of taxes for the use of the purchaser, his legal representatives or assigns, the said purchase-money, together with any assessment for taxes or otherwise which the said purchaser may have paid, and of the payment of which he may have filed a written notice in the office of the said collector or receiver, with interest at the rate of one per centum per month, or such purchase-money from the time of such sale and upon such payment or payments from the time of filing such notice or notices as aforesaid; and that the certificate of said collector or receiver of taxes stating the receipt of such moneys, and showing what property the same was intended to redeem, shall be evidence of such redemption; and that upon the receipt of such moneys by the said collector or receiver, he shall cause the same to be refunded to the purchaser, his legal representatives or assigns on demand, and that all proceedings in relation to said sale shall then cease and determine; and that if the person so redeeming be a judgment creditor or a mortgagee, or the assignee of a judgment or mortgage, he shall have a lien on the lands and real estate so redeemed by him by virtue of this act for the amount so paid by him to effect such redemption, with lawful interest thereon, in the same manner as if the same had been included in his mortgage or judgment, and he may

Owner, mortgagee, &c., may redeem within three years.

Person redeeming to have a lien on lands and real estate.

enforce the payment thereof in the same manner; and that the said collector or receiver of taxes shall make out two certificates for all property so redeemed, one to be kept by the person so redeeming the same, and the other to be filed in the office of the township clerk.

Failure of
owners to
redeem, com-
mittee to
execute
declaration
of sale.

Declaration
of sale to be
recorded.

9. *And be it enacted*, That if any lands and real estate so sold shall not be redeemed as aforesaid, the township committee shall execute to the purchaser, or his legal representatives or assigns, a declaration of sale, signed by the chairman of the township committee, and attested by the township clerk, containing a short description of the premises sold, together with a brief statement of the facts of assessment, advertisement and sale, including the date of sale and the term for which said premises were sold; that said declaration shall be recorded in the office of the township clerk in books to be kept for that purpose, and that until the same be so recorded, such lands and real estate may be redeemed, as hereinbefore provided, notwithstanding the period of three years from the time of such sale may have expired; that such declaration of sale shall be presumptive evidence in all courts and places that such sale and proceedings were regularly made and had, according to the provisions of this act, and that such purchaser and his legal representatives or assigns shall, by virtue thereof, lawfully hold and enjoy such lands and real estate, with the rents, issues and profits thereof, for his, her or their own proper use against the owner or owners thereof, and all persons claiming under him, her or them, until the term shall be completed and ended for which the purchaser agreed to take the same, and at the expiration of the said term shall peaceably and quietly yield up such lands and real estate to the lawful owner or owners thereof, being liable, however, for any waste or injury done or committed by him, her or them, in the same manner as a tenant for a term of years.

Clerk to give
certificates of
search and
cancel certifi-
cates of sale
when lands are
redeemed.

10. *And be it enacted*, That in addition to the recording of certificates and declaration of sale and assignment of such certificate as aforesaid, the township clerk shall also give certificates of search in relation thereto to any person or persons applying for the same, and that he shall also cancel such certificates and such assignment thereof

so recorded whenever the lands and real estate for which they were given shall be redeemed, upon the presentation and filing in his office of the said collector's or receiver's certificates of such redemption.

11. *And be it enacted*, That besides the compensation which is now or may be hereafter allowed to the said collector or receiver of taxes for any service to be performed under this act, he shall be allowed such special compensation for special services as may be from time to time determined by the township committee; and that he shall also be entitled to receive from each purchaser the sum of one dollar for every certificate or declaration of sale by him given; and that the township clerk shall also be entitled to receive from said purchaser the sum of one dollar for every certificate or declaration of sale, and every assignment of such certificate to be recorded by him as aforesaid, and also the sum of one dollar for every search (including the certificate thereof) made by him in the records of certificates and declaration of sales and assignments as aforesaid; and that the said collector or receiver of taxes shall likewise collect, for the use of the township, the sum of one dollar from each purchaser at the time of the delivery of the said certificate of sale, for the expenses of advertising and selling each and every lot or parcel of said lands and real estate by him purchased as aforesaid.

Compensation
of collector or
receiver of
taxes.

12. *And be it enacted*, That this act shall be deemed and taken to be a public act and shall take effect immediately.

Approved March 16, 1886.

CHAPTER LXXI.

A Supplement to an act entitled "An act relative to sales of lands under a public statute or by virtue of any judicial proceedings" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

Court may
order notice to
be given of
time and place
of sale.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the court, or any presiding judge of any court in which any judicial proceeding or order has or may be obtained on which any execution or order may issue directing the sale or sales of any lands, tenements, hereditaments or real estate may, in his or their discretion, at the time of the issuing of any such order, make an order or orders directing the sheriff, coroner, master in chancery, executor, administrator, guardian, commissioners, auditors or other officer or person authorized or required to make such sale or sales to give notice of the time and place of such sale or sales for four weeks, instead of two months, next before the time appointed for such sale or sales referred to in the act to which this is a supplement.

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 16, 1886.

CHAPTER LXXII.

A Supplement to an act entitled "An act to establish a system of public instruction" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any school district may, after the first day of September and before the thirty-first day of December, in any year, borrow a sum not exceeding four-tenths of the amount apportioned to such district from the state school moneys for such year, for the purpose of paying teachers' salaries falling due within said year; and that the said district may pay the amount so borrowed, together with interest thereon at a rate not exceeding six per centum per annum, out of the state school moneys apportioned to said district for the then current school year, as soon as the same shall have been received by the township collector of the township in which said district is situated.

School dis-
tricts may
borrow money
to pay
teachers'
salaries.

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 16, 1886.

CHAPTER LXXIII.

An Act to amend an act entitled "An act to establish a system of public instruction" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

Section
amended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section seventy-six of an act entitled "An act to establish a system of public instruction" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four, be and the same is hereby amended so as to read as follows:

Expenses of
institutes to be
paid by state
from income
of school fund.

[76. *And be it enacted*, That for the purpose of defraying the expenses of teachers' institutes and procuring teachers and lecturers for said institutes and other necessary expenses of the same, there may be paid annually to the state superintendent of public instruction, out of the income of the school fund, upon the warrant of the comptroller upon itemized accounts rendered to him by the state superintendent of public instruction of the expenses incurred, a sum not exceeding one hundred dollars to one teachers' institute in any county; and where two or more counties join in holding a union institute there may be paid a sum not exceed one hundred dollars for each county joining in such union institute.]

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 16, 1886.

CHAPTER LXXIV.

A Supplement to the act entitled "An act to regulate elections," approved April eighteenth, one thousand eight hundred and seventy-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in all incorporated cities in this state, as soon as the election shall be finished and the ballots, poll list, tally papers, and oaths and affirmations deposited in the ballot-box, and the same sealed as now required by law, the ballot-box shall be immediately taken in charge by the two inspectors of election of the precinct, and by them forthwith carried to the office of the city clerk of the city in which such election may be held, by the most direct route, and without delay; and said inspectors shall not stop at any place between the polls and the city clerk's office; the clerk of any city in which the election shall be held shall attend at his said office on election day, and keep his office open from the time the polls shall be closed until all the ballot-boxes used at the various polls in said city at such election shall have been delivered at his office; and he shall thereupon keep such boxes containing the tickets and other documents, and said clerk shall not open, nor permit to be taken or opened, any ballot-box deposited as aforesaid, for the space of six months after the same has been deposited as aforesaid, except when he shall be called upon by some court or other tribunal authorized to try the merits of such election, or take testimony regarding the same; and after such trial or investigation, it shall be the duty of the clerk to have said box or boxes returned and deposited in his office; the city clerk shall either attend personally at his office, or appoint one of the clerks in his office to act for him.

Inspectors to take charge of ballot-box and deliver to city clerk.

City clerk to attend at his office.

Duties of city clerk.

2. *And be it enacted*, That the clerk of the city in which such election may be held, or his subordinate, whom he

Record to be kept of delivery of ballot-box, &c.

may have appointed to act in his stead, shall enter in a book to be kept for that purpose, the exact time when each ballot-box may be delivered at said office, the precinct whence it was brought, the names of the inspectors delivering it, and the name of the police officer or other witness who may accompany them, and such other particulars as he may deem important; said book shall be filed in the office of the city clerk and be a public record.

Act to apply to all elections.

3. *And be it enacted*, That this act shall apply to all elections hereafter held in incorporated cities, whether the same be general or special or charter elections.

Repealer.

4. *And be it enacted*, That so much of the act to which this is a supplement, and so much of any special act as conflicts with this act, be and the same is hereby repealed.

Penalty for violation of act.

5. *And be it enacted*, That any person who shall willfully violate any of the provisions of this act, or who shall obstruct or interfere with the inspector or inspectors on the way from the polls to the office of the city clerk, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by fine not exceeding five hundred dollars, or by imprisonment at hard labor for any term not exceeding two years, or both.

6. *And be it enacted*, That this act shall take effect immediately.

Approved March 16, 1886.

CHAPTER LXXV.

An Act concerning salaries of certain officers in cities of this state.

Board authorized to fix salary of clerk not to exceed certain amount.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That where, in the opinion of the board appointing such officer, the salary as now fixed by law for the clerk of the treasurer of any city in this state is inadequate compensation for the services performed by such clerk, it shall be lawful for said board to fix such

salary at an amount not exceeding the sum of fifteen hundred dollars per annum; *provided*, that the resolution fixing such salary shall be approved by the mayor of such city before the same shall go into effect. Proviso.

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 22, 1886.

CHAPTER LXXVI.

An Act to enable cities which have no city hospital to assist in maintaining hospitals located in such city.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for any city in this state which has no hospital located therein maintained by such city, to make an appropriation of a sum of money not exceeding fifteen hundred dollars each year in the same manner that appropriations for other municipal purposes are made, which sum so appropriated shall be included in the annual tax levy of such city and collected in the same manner and at the same time as other city taxes, and shall be applied to the purpose of supporting and maintaining such indigent patients as may be sent by order of any city physician, overseer of the poor, or other proper authority of such city to any hospital or hospitals supported by private charity and located in such city; the moneys so raised shall be kept as a separate fund, known as the hospital fund, and shall not be used for any other purpose whatever; and such city shall have power, by ordinance, to regulate the mode of sending such patients to such hospital or hospitals, and also the mode and terms of paying for the care and maintenance of such patients so sent to such hospital or hospitals. Cities may make appropriation for support of patients in hospitals, and to regulate the sending of patients and terms of payment by ordinance.

2. *And be it enacted*, That all acts and parts of acts inconsistent herewith be and they are hereby repealed. Repealer.

3. *And be it enacted*, That this act shall take effect immediately.

Approved March 22, 1886.

CHAPTER LXXVII.

An Act to authorize certain boards of commissioners and improvement commissions to change the date of their annual elections.

Board authorized to change date of election of commissioners and appropriation of moneys.

Proviso.

Ordinance to be published.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for any board of commissioners or any improvement commission in any town or village, or within any townships in this state, to change by ordinance the date of the election for commissioners and for the appropriation of moneys, to an earlier date than that now fixed by law, whenever in the judgment of such board or commission the public interests will be promoted by such change; *provided*, that nothing herein contained shall have the effect of extending the term of office of any members of such board now in office.

2. *And be it enacted*, That the ordinance for such change shall be published in one or more of the newspapers printed and circulated within the limits of the jurisdiction of said commission at least three weeks before the same shall go into effect and be operative.

3. *And be it enacted*, That this act shall take effect immediately.

Approved March 22, 1886.

CHAPTER LXXVIII.

A Supplement to an act entitled "An act concerning official newspapers in cities of this state," passed March thirteenth, one thousand eight hundred and eighty-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for any city in this state to designate as an official newspaper, in addition to the official newspapers authorized to be designated by the charter of such city, a newspaper printed in the German language, which shall have been published in such city at least once a week for a period of not less than one year prior to the passage of this act. Official newspapers may be designated.

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 22, 1886.

CHAPTER LXXIX.

Supplement to an act entitled "An act to incorporate benevolent and charitable associations," approved April ninth, one thousand eight hundred and seventy-five, and the various supplements thereto.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the first section of the act as heretofore amended, to which this a supplement, be amended so that the same shall read as follows: Section amended.

[1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That every association of persons, not less than three in number, associated for benevo- Formation of benevolent and charitable associations.

General
powers.

lent and charitable purposes, be and they are hereby authorized at any regular meeting of such association by a majority of votes to elect by ballot, or otherwise, according to the constitution or by-laws of such association, to appoint one or as many officers of such association as shall be deemed necessary; which said association and such other persons as may be associated with them are hereby constituted a body politic and corporate in law, by whatever name they shall assume, and by such name shall have succession and continuance and be capable in law of suing and being sued, defending and being defended in all courts and places whatever, and may have and use a common seal and alter and renew the same at pleasure, and by their name as aforesaid, and under their common seal, may make and enter into, execute and enforce any contracts or agreements relating to, touching or concerning the objects of said corporation.]

Section
amended.

2. *And be it enacted*, That the fifth section of the act to which this is a supplement be amended so that the same shall read as follows:

Objects of
associations.

[5. *And be it enacted*, That the sole and exclusive objects of incorporations under this act shall be to relieve or support such of the members thereof or such other persons as shall by sickness, casualty, old age or other cause be rendered incapable of attending to their usual occupation or calling; to discourage intemperance and diffuse the principles of benevolence and charity; to promote the decent interment of deceased members or widows of deceased members; to give and extend benevolent and charitable relief and assistance to persons who are not members or corporators; to promote religion, morality or industry by local missions or Sunday schools or schools of a charitable nature and other charitable objects; any one or more of the above objects may be provided for in the constitution and by-laws of such corporation, which shall have power to provide for such necessary expenses as shall accrue by carrying into effect the said object or objects; and no part of the funds of such corporation shall be used for banking purposes or in any manner except as provided in this act.]

3. *And be it enacted*; That if any corporation shall have been organized in accordance with the provisions of

the act to which this is a supplement as now amended, such organization shall be deemed to have been valid and effectual for all purposes.

Corporations
heretofore
organized
deemed valid
and effectual.

4. *And be it enacted*, That this act shall take effect immediately.

Approved March 22, 1886.

CHAPTER LXXX.

An Act to amend an act entitled "An act for building school-houses in townships," approved March eleventh, one thousand eight hundred and eighty.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section one of an act entitled "An act for building school-houses in townships," approved March eleventh, one thousand eight hundred and eighty, be and the same is hereby amended so as to read as follows:

Section
amended.

[1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That from and after the passage of this act it shall be lawful for any school district of this state, at their annual meeting, to vote money to build a school-house, as money is now voted for said school district under any existing law, and to provide land for that purpose, not exceeding five acres, at such place in the said school district as the school trustees thereof may designate, and for that purpose the said school trustees may acquire the said land by purchase or condemnation; *provided*, that a majority of the taxable residents of said school district shall be present and vote on any proposition for the condemnation of land in accordance with the provisions of this act.]

Lawful for
school dis-
tricts to vote
money to build
school-house
and to provide
land, &c.

Proviso.

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 22, 1886.

CHAPTER LXXXI.

An Act relative to the payment of arrears of taxes and assessments and the interest thereon in incorporated cities.

Taxes and assessments may be paid to collector of taxes within a certain time.

Duties of collector of taxes.

Upon payment tax or assessment to cease to be a lien.

Proviso.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That at any time within one year after the passage of this act, any person or persons may pay to the collector of taxes, or other person authorized to receive the same, in any incorporated city in this state, the amount of any tax or assessment due upon any real property belonging to any such person or persons, laid or imposed prior to the year one thousand eight hundred and eighty-five, and now remaining unpaid, together with interest thereon at seven per centum per annum, to be calculated from the time interest is properly chargeable thereon to the time of such payment, together with the actual expenses theretofore incurred by any such city for the enforcement and payment of said taxes or assessments; and the collector of taxes, or person authorized to receive the same, shall make and deliver to the person or persons making such payment a receipt therefor, and shall forthwith cancel the record of such tax or assessment; upon such payment such tax or assessment shall cease to be a lien upon the real estate or property, and shall be deemed and taken to be fully paid, satisfied and discharged, and there shall be no right to any further interest or penalty by reason of such tax or assessment not having been paid within the time heretofore required by law, or by reason of any statute passed requiring the payment heretofore of any penalty or interest over seven per centum upon any unpaid tax or assessment; *provided, however*, that nothing in this act contained shall authorize the receipt, under the provisions of this act, of any such taxes or assessments in cases where lands and real estate have been sold for taxes or assessments, and bought in by

any other person than the city in which said taxes and assessments are laid, or some officer for the use of such city; nor shall any lien upon real estate for such taxes or assessments be released or affected, nor shall any sale of any real estate for taxes or assessments, or the delivery of any certificate or declaration of sale, or deed therefor, be stayed by anything in this act contained; *and provided,* Proviso. *further,* that the provisions of this act shall not become operative in any incorporated city until the common council or other governing body having charge and control of the finances of such city shall, by resolution, authorize the collector of taxes, or other person authorized to receive taxes, to receive and receipt for the same under the provisions of this act.

2. *And be it enacted,* That all acts and parts of acts inconsistent with this act be and the same are hereby repealed, and that this act shall take effect immediately. Repealer.

Approved March 22, 1886.

CHAPTER LXXXII.

An act to facilitate the foreclosure of mortgages made by consolidated railroad companies of railroads lying partly within and partly without this state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey,* That whenever a railroad corporation, created by the consolidation of a railroad corporation or corporations of this state with a railroad corporation or corporations of another state or states, whose line of railroad lies partly in this state and partly in another state or states, has heretofore executed a mortgage upon its entire line of road, and a sale of the entire line of road under such mortgage has heretofore been adjudged and decreed by a court of competent jurisdiction of or in the state or states in which the greater part of such line of railroad may be situated, and Sales of railroads adjudged and decreed by court to pass title to purchaser.

Judgment,
decree or sale
may be con-
firmed and
approved in
actions now
pending, &c.

Proviso.

Corporation to
hold and
operate rail-
road when
decree and
sale is con-
firmed.

such sale has been heretofore made in said state or states, then, upon the confirmation and approval of such judgment or decree and of the sale made thereunder by the court of chancery of this state, or the circuit court of the United States in and for the district of New Jersey, such sale shall operate to pass title to the purchaser of that part of the line of railroad lying in this state, together with its appurtenances and franchises, with the same force and effect as if the judgment or decree under which such sale is had had been made by a court of competent jurisdiction of or in this state; and such judgment or decree and sale may be so confirmed and approved in any action now pending or which may be brought within thirty days after the passage of this act in the said court of chancery or the said circuit court of the United States for the foreclosure of such mortgage, or in aid of any action for that purpose heretofore brought in such other state, upon due provision being made by judgment or decree of said court for and in respect of any liens upon that part of the line of road or other property sold, situate in this state, according to their respective priorities; *provided*, that application for such confirmation, approval and order shall be made within sixty days after the passage of this act.

2. *And be it enacted*, That a corporation created under the laws of the state in which the greater part of the line of such railroad may be situated, for the purpose of taking title to and operating the entire line of railroad, with its franchises and appurtenances sold upon the foreclosure of such mortgage, shall, upon the judgment, decree and sale being duly confirmed and approved, as herein provided, hold, possess and operate that part of the line of such railroad lying in this state, and have all the rights and franchises theretofore possessed by the corporation executing the mortgage under which such judgment or decree and the sale were made, and such as now are or may hereafter be conferred upon railroad corporations organized under the laws of this state, and shall be subject to the duties and liabilities to which such corporation was by the law of this state subject, and to such further or other duties and liabilities as are now or may hereafter

be imposed by law upon railroad corporations of this state.

3. *And be it enacted*, That an exemplified copy of the charter, certificate of incorporation or articles of association under and by virtue of which such new corporation is created, and of the judgment or decree under which such entire line of railroad was sold, and a certified copy of such judgment or decree of confirmation and approval of the court of or in this state shall be filed in the office of the secretary of state for this state.

Copies of
charter, arti-
cles, decree,
&c., to be filed
in office of
secretary of
state.

4. *And be it enacted*, That this act shall not apply to any corporation unless such corporation shall first and as a condition precedent to the exercise of any power granted by this act or any other act of the legislature of this state, file in the office of the secretary of state an agreement to be approved by the governor and the attorney-general, waiving all rights 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 hereafter be passed taxing such corporations as are now authorized to be taxed by the legislature of this 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 the state (if any there exist) to take the property of such corporation under any existing law of the state, and agreeing further, that all laws affecting such corporations shall be subject to alteration or repeal by the legislature.

Act not to
apply unless
corporations
first agree to
waive rights
of exemption
from taxa-
tion, &c.

5. *And be it enacted*, That this act shall be deemed a public act and take effect immediately.

Approved March 22, 1886.

CHAPTER LXXXIII.

A Further Supplement to an act entitled "An act to limit the age and employment hours of children, minors and women, and to appoint an inspector for the enforcement of the same," approved March fifth, one thousand eight hundred and eighty-three.

Appointment
of deputy
inspectors,
term of office
and salaries.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inspector appointed under the act and the supplement thereto, to which this is a further supplement, and his successors, shall have authority to appoint, with the approval of the governor and comptroller, three suitable persons, who shall be residents and citizens of this state, as deputy inspectors, who, when appointed, shall hold office for a term of one year, at a salary of one thousand dollars per year, to be paid monthly, and shall have like power as the inspector under the act to which this is a further supplement, but shall be governed by and be subject to the control and direction of said inspector.

Certificates of
authority to be
furnished.

2. *And be it enacted*, That the inspector of factories and workshops and his deputies shall be furnished with certificates of authority by the secretary of state, and that they shall produce the same if so requested by any occupier of a factory, mine, workshop or establishment.

Illegal to
personate, &c.

3. *And be it enacted*, That it will be illegal for any one to personate an inspector of factories or forge his certificate of authority.

Illegal to delay
inspectors in
discharge of
their duties.

4. *And be it enacted*, That it will be illegal for any one to delay the factory inspectors in the exercise of their duties, or conceal or attempt to conceal any child or children from examination by the inspectors.

Penalty for
violation of
act.

5. *And be it enacted*, That every manufacturer, merchant or other person who shall be guilty of any violation of the provisions of this act, shall be liable to a penalty of

fifty dollars for each offense, to be recovered in an action of debt in the manner provided in section four of the act to which this is a supplement.

6. *And be it enacted*, That all acts or parts of acts ^{Repealed.} inconsistent with this act be and the same are hereby repealed.

7. *And be it enacted*, That this act shall take effect immediately.

Approved March 22, 1886.

CHAPTER LXXXIV.

An Act to prevent deception in the sale of oleomargarine, butterine or any imitation of dairy products, and to preserve the public health.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That no person shall offer or expose for sale, or sell, or have in possession for the purposes of sale, any oleomargarine or butterine or suine, or any substance in imitation or semblance of natural butter or cheese, or any substance that is rendered, made, manufactured or compounded out of any animal or vegetable or mineral fat or oil, not produced from pure milk or cream from pure milk, unless contained in, or sold out of or in tubs, pails, firkins, vessels or other packages, marked and labeled as required by section three of this act.

No person to sell or offer to sell any imitation of dairy products, unless sold out of tubs, &c., marked or labeled.

2. *And be it enacted*, That no person shall offer or expose for sale, or sell, or have in possession for the purposes of sale, any mixture or compound of natural butter or cheese with oleomargarine, butterine, suine, or any animal or vegetable or mineral fat or oil, or any substance not the product of pure milk or cream from pure milk, except such mixture or compound shall be sold out of or in or contained in tubs, firkins, pails, vessels or packages marked or labeled as required by section three of this act.

Mixture or compound of butter, &c., not to be offered or exposed for sale except sold out of tubs, pails, &c., labeled or marked.

Imitation of
dairy products
not to be sold,
held, &c.,
except in tubs,
pails, &c.,
marked or
labeled.

How tubs,
pails, &c., are
to be marked
and branded.

3. *And be it enacted*, That no oleomargarine, butterine or suine, or any substance or compound or mixture in imitation or semblance of natural butter or cheese, or any substance that is rendered, made, manufactured or compounded out of animal or vegetable or mineral fat or oil, not the product of pure milk or cream from pure milk, shall be sold or exposed or offered for sale, or held in possession for the purposes of sale, except when contained in tubs, pails, boxes, firkins, vessels or other packages that are marked or labeled as follows, to wit: every such tub, pail, box, firkin or other vessel or package shall have painted on the outside thereof and midway between the top and bottom thereof, a stripe or band, at least three inches wide, and extending completely around said vessel or package, and said stripe or band shall be painted with black paint; every such vessel or package shall have legibly branded and burnt in, by means of a branding or burning iron, on the outside of the cover and on the outside of said vessel or package, in two places as nearly opposite each other as possible, the words, "oleomargarine," "butterine," "suine" or "imitation butter," or "imitation cheese," as the case may be, and said name or title shall be composed of Roman letters at least one-half an inch high and at least one-quarter of an inch broad, and said name or title shall be at least ten inches long; and every such tub, pail, box, firkin or other vessel or package shall bear a label or shall have branded on it a mark giving the name and address of the maker of the contents thereof, and the name and location of the manufactory.

Imitation of
dairy products
not to be sold
in quantities
less than tub
or firkin unless
purchaser is
informed, &c.

4. *And be it enacted*, That no person shall sell any oleomargarine, butterine, suine or any substance in imitation or semblance of natural butter or cheese, or any substance that is rendered; made, manufactured or compounded out of any animal or vegetable or mineral fat or oil, not produced from pure milk or the cream from pure milk, at retail or in quantities less than the original tub, firkin or other package, unless he shall first inform the purchaser that the substance is not natural butter or cheese, but is imitation butter or cheese, and at the time of sale and with each sale, he shall give to the purchaser a card or notice printed on which shall be the name of

the substance sold and the name and address of the seller or vender, and said notice or card shall be at least six inches long and at least four inches wide, and the printing thereon shall be in letters at least of the size known as two-line English, and said notice or card shall be printed in black and in the English language.

Card or notice to be given purchaser.

Form and size of card or notice.

5. *And be it enacted*, That no person shall offer or expose for sale, or sell, or have in possession for the purposes of sale, any oleomargarine, butterine, suine or any substance in imitation of natural butter or cheese, or any substance that is rendered, made, manufactured or compounded out of any animal or vegetable or mineral fat or oil, not produced from pure milk or cream from pure milk, that is colored, stained or mixed with annatto or any other coloring matter or substance.

No person to sell or expose for sale imitation butter, &c., colored or mixed, &c.

6. *And be it enacted*, That for the purposes of this act the terms "natural butter," or "natural butter or cheese," shall be taken to mean the product or products usually known by these names and which are made and manufactured exclusively from milk or cream, or both, with salt or salt and rennet, and with or without coloring matter or sage; and the terms "oleomargarine," "butterine," "suine" or "substance in imitation or semblance of natural butter or cheese," shall be to mean any substance that is rendered, made, manufactured or compounded out of any animal or vegetable or mineral oil or fat, not the product of pure milk or the cream from pure milk; also, any compound or mixture of natural butter or cheese, or milk or cream, with any of these substances not milk or cream.

Certain terms, how construed.

7. *And be it enacted*, That the possession by any person who is either manufacturer, merchant, broker, wholesale or retail dealer, or a hotel, inn, restaurant, or boarding-house keeper, of any oleaginous substance, mixture or compound whatever as defined by this act, not natural butter, that is not contained in a tub, box, pail or vessel, plainly marked and branded in accordance with the provisions of section three of this act, shall be prima facie evidence of intent to sell the same.

What considered evidence of intent to sell.

8. *And be it enacted*, That no person shall in any way or manner erase, cancel or obliterate, deface, or cover over or remove either the band or stripe of paint, or the

No person to cancel, obliterate or erase band or brands.

brands required by section three of this act to be placed on the tub, box, pail or vessel containing any oleaginous substance, mixture or compound as defined by this act.

Penalty for violation of act.

9. *And be it enacted*, That every person who shall violate any of the provisions of this act shall be liable to a penalty of one hundred dollars for the first offense, and two hundred dollars for each second or subsequent offense.

Courts empowered to hear and determine cases.

10. *And be it enacted*, That every district court in any city, and every justice of the peace in any county, and any recorder in any city, is hereby empowered on oath or affirmation made according to law that any person or persons has or have violated any provision of this act, to issue process at the suit of the commissioner hereafter named as plaintiff for the use of the state of New Jersey, either in the manner of a summons or warrant, against the person or persons so charged, which process shall, when in the nature of a warrant, be returnable forthwith, and when in the nature of a summons, shall be returnable in not less than one nor more than ten entire days; such process shall state what provision of the law is alleged to have been violated by the defendant or defendants; and on the return of such process, or at any time to which the trial shall have been adjourned, the said court, justice of the peace, or recorder, shall proceed to hear testimony and to determine and give judgment in the matter, without the filing of any pleadings, for the plaintiff, for the recovery of such penalty, with costs, or for the defendant; and the said court, justice of the peace, or recorder shall, if judgment be rendered for the plaintiff, forthwith issue execution against the goods and chattels and person of the defendant or defendants; and the said court, justice of the peace, or recorder is further empowered to cause any such defendant who may refuse or neglect to pay the amount of the judgment rendered against him, and all the costs and charges incident thereto, unless an appeal is granted, to be committed to the county jail for any period not exceeding ninety days.

May issue execution against goods and chattels, &c.

Who authorized to serve and execute processes.

11. *And be it enacted*, That the officers to serve and execute all process under this act shall be the officers authorized to serve and execute process in said courts, and before such magistrates and officers as aforesaid, includ-

ing the constables of such counties and all police officers of such cities.

12. *And be it enacted*, That said district court, justice of the peace, or recorder shall have power to adjourn the hearing or trial in any case, from time to time, not exceeding thirty days from the return of the summons or warrant, and to bail the person so charged in such sum as he shall deem proper for his appearance at such time and place as said trial or hearing shall be adjourned to, and in default of bail to commit the person so charged to the common jail of said county, to be there detained until the trial or hearing of said charge.

13. *And be it enacted*, That either the complainant or defendant, upon paying all costs incurred and by filing with said district court, justice or recorder, within ten days after trial before him, a written notice of his or her intention to appeal from the decision of said court, justice or recorder, may appeal to the next court of general quarter sessions of the peace of the county in which said complaint may have been determined, and said court of general quarter sessions shall proceed and try the same and make such adjudications as are herein provided in case of such trial before said district court, justice or recorder.

14. *And be it enacted*, That all penalties imposed under this act shall be, immediately on receipt, paid into the treasury of this state by the commissioner.

15. *And be it enacted*, That the state board of health shall appoint a commissioner, who shall be known as the state dairy commissioner, who shall be a citizen of this state and who shall hold his office for the term of three years and until his successor shall be appointed, and said commissioner shall be paid a salary of two thousand dollars per annum and his traveling and other expenses, payable by the treasurer of this state on warrant of the comptroller, in quarterly payments; and said commissioner shall be appointed within fifteen days after the passage of this act and shall be charged with the enforcement of the various provisions thereof; and said commissioner may be removed for just cause by the appointing power conferred by the act; *provided*, that charges shall be first made in writing and he be given

Court may adjourn hearing, and to bail persons charged.

When and how appeals may be taken.

Penalties to be paid into the state treasury.

Appointment of dairy commissioners, term of office, and salary, &c.

May be removed for cause.

Proviso.

time to reply thereto; and the said commissioner shall make annual reports to the legislature not later than the fifteenth day of January in each year, and also to the state board of health at its annual meeting; and said commissioner is hereby authorized and empowered to appoint or employ such assistants, chemists, agents, clerks and counsel as may be deemed necessary for the proper enforcement of this act, their compensation to be fixed by the commissioner.

Expenditures in any one year not to exceed a certain amount, and by whom paid.

16. *And be it enacted*, That the said commissioner shall be authorized to expend for the purposes of this act an amount not exceeding ten thousand dollars in any one year, and all expenses shall be paid by the treasurer of this state on warrant of the comptroller, upon presentation of properly certified accounts made by said commissioner, but such expenses shall not exceed in any one year the amount stated in this section.

Commissioners and assistants to be commissioned, and their powers.

17. *And be it enacted*, That the said commissioner, and assistants, and clerks, and agents, as shall be duly commissioned so to do by the commissioner, shall have full and free access, ingress and egress to all places of business, factories, farms, buildings, hotels, restaurants, boarding houses, carriages, cars, vessels and cans used in the manufacture and sale of any dairy products, or any imitation thereof; they shall also have the power to open any package, can or vessel containing such articles which may be manufactured, sold or exposed for sale in violation of the provisions of this act, if they have reason to believe it is being violated, and may inspect the contents therein, and may take therefrom samples for analysis.

Declaration of act and sections.

18. *And be it enacted*, That this act and each section thereof is declared to be enacted to prevent deception in the sale of oleomargarine, butterine or any imitation of any dairy product, and to preserve the public health.

Certain acts repealed.

19. *And be it enacted*, That an act entitled "An act for the protection of dairymen, and to prevent deception in sales of butter," approved February twenty-first, one thousand eight hundred and eighty-four, and an act entitled "An act to prohibit the manufacture and sale of impure and imitation dairy products," approved May fifth, one thousand eight hundred and eighty-four, and all acts and

parts of acts inconsistent or in conflict with this act, be and the same are hereby repealed.

20. *And be it enacted*, That this act shall take effect immediately.

Approved March 22, 1886.

CHAPTER LXXXV.

An Act for the protection and to limit the time and manner of killing European pheasants and other game birds of foreign origin.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall not be lawful for any person to take, kill or capture any European pheasant, partridge or grouse within three years next after the passage of this act, under a penalty of twenty-five dollars. Penalty for killing pheasants, &c.

2. *And be it enacted*, That after the expiration of the term of three years mentioned in section one of this act, it shall not be lawful to take, kill or capture any European pheasant, partridge or grouse, except during the months of November and December in any year, under a penalty of twenty-five dollars for each bird so unlawfully taken, killed or captured. When unlawful to kill or take pheasants, &c.

3. *And be it enacted*, That any person who shall at any time take, kill or capture any European pheasant, partridge or grouse upon the lands of another person without the consent of the owner or his agent, shall be liable to a penalty of twenty-five dollars for each bird so taken, killed or captured. Penalty for killing, &c., without consent of owner, &c.

Approved March 22, 1886.

CHAPTER LXXXVI.

A Further Supplement to an act entitled "An act for the better enforcement in Maurice River cove and Delaware bay of the act entitled 'An act for the preservation of clams and oysters,' " approved April fourteenth, one thousand eight hundred and forty-six, and the supplements thereto.

Captains to
produce
license and
make oath.

What oath to
contain.

Collector may
refuse to issue
license, and
refer same to
committee.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the captain or commander of any boat or vessel at the time he shall make application to the collector of the oyster fund for a license authorizing such boat or other vessel to engage in the catching, planting and growing of oysters on the flats and grounds of Delaware bay and Maurice River cove, and before such license shall be issued, shall produce before the said collector the enrollment or license of such boat or vessel, and shall make oath before the said collector, who is hereby authorized to administer the same, that the said boat or vessel is to be regularly engaged in the oyster business in the waters of this state; that such boat or vessel has not been nor is to be purchased, hired, chartered or employed with the sole intent or purpose of catching or taking oysters from the natural oyster beds or grounds in Delaware bay or Maurice River cove; he shall likewise, at the same time, make oath to the names of the owners of such boat or vessel, and of their respective interests therein and places of residence, and which oath shall be reduced to writing, signed by such captain or commander and left with the said collector to be by him retained and filed; and the said collector is, in all cases where he shall have doubts of the good faith of said application, and he shall so determine or deem advisable, hereby authorized to refuse the granting and issuing of said license, and shall thereupon refer the said applica-

tion, with the oath and other papers accompanying the same, to the auditing committee of the oyster association, who are hereby authorized and empowered to examine into the said application, and if they shall be satisfied that the said boat or other vessel has been or is to be purchased, hired, chartered or employed with the sole intent and purpose of temporarily working upon, catching or taking oysters from the natural oyster beds or grounds of Delaware bay or Maurice River cove, and not for the purpose of regularly engaging in the oyster business in the waters of this state, to refuse to grant such license, and their action and determination in the matter shall be certified to said collector, and in all cases where the decision of said auditing committee shall be adverse to the granting of such license, the said collector shall not issue the same, and if in favor of granting the same, he shall, upon the said captain or commander in all other respects complying with the laws of this state in relation thereto, issue said license.

2. *And be it enacted*, That if complaint shall be made by any person to the said auditing committee of the oyster association that any boat or other vessel licensed by the collector of the oyster fund has been purchased, hired, chartered, employed or engaged for the temporary purpose of catching, taking or gathering oysters upon any of the natural oyster beds or grounds of Delaware bay or Maurice River cove, and not in good faith for the purpose of regularly and continuously engaging in the business of catching and marketing of oysters in said bay or cove, said auditing committee is hereby authorized to hear and examine said complaint, and if upon such examination they shall decide that the said boat or other vessel has been so purchased, hired, chartered, employed or engaged, or is employed or engaged contrary to the true intent and spirit of this act, to revoke the license of said boat or vessel, and such boat or other vessel, with all the oysters, dredges, rakes, tongs, tackle, furniture and apparel thereto belonging shall be forfeited, and the same seized, secured and sold in the manner prescribed in the ninth and tenth sections of the act entitled "An act for the preservation of clams and oysters," approved April fourteenth, one thousand eight hundred and forty-six,

Proceedings in
case of com-
plaint.

Committee to
hear and
examine com-
plaint.

Committee
may revoke
license and
sell vessels,
tackle, &c.

and the proceeds of such sale, after deducting all expenses, shall be paid to the said collector.

Boats and vessels having a dredge or tooth bar of more than a certain length may be seized and sold.

3. *And be it enacted*, That any boat or any other vessel employed or engaged in the catching, taking, raking or gathering of oysters in any of the natural oyster beds in said Delaware bay or Maurice River cove, shall not have on board thereof or use any instrument called a dredge, having a tooth bar of more than forty inches in length from shoulder to shoulder; and any boat or other vessel so employed or engaged, which shall have on board or use a dredge having a tooth bar of greater length than is in this section provided, together with all the tongs, dredges, tackle, furniture and apparel thereto belonging, shall be forfeited, and the same seized, secured and sold in the manner prescribed in the next preceding section of this act, and the proceeds of such sale, after deducting all expenses, shall be paid to the said collector of the oyster fund.

4. *And be it enacted*, That this act shall take effect immediately.

Approved March 22, 1886.

CHAPTER LXXXVII.

A Supplement to an act entitled "An act concerning firemen's relief associations," approved March twenty-fifth, one thousand eight hundred and eighty-five.

What certificate of incorporation to set forth.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in case of the re-organization and incorporation (under the provisions of the act to which this is a supplement) of any existing firemen's relief association not heretofore incorporated, the certificate of incorporation shall set forth the original organization of such association, and the date thereof, and the fact that said association has never been incorporated, also, the names and official designations of the officers of

such association, and a reference to the act to which this is a supplement, which certificate shall be signed by the president and secretary of such association, and shall be recorded and filed in the manner provided in the act to which this is a supplement for the recording and filing of certificates of incorporation; and any such certificate heretofore made, recorded and filed in manner and form as above provided shall have the same validity, force and effect as if the foregoing provisions had been embodied in the act to which this is a supplement, and as if such certificate had been made, recorded and filed in compliance therewith.

Certificates
heretofore
made and
recorded to
have same
validity, &c.

2. *And be it enacted*, That in case any error may have been or may hereafter be made in the certificate of incorporation or re-incorporation of any firemen's relief association, the president and secretary of such association may sign, record and file a corrected certificate; and upon the recording and filing of such corrected certificate in the manner provided in the act to which this is a supplement for the recording and filing of certificates of incorporation, such association shall be deemed and taken to be and to have been duly incorporated or re-incorporated, as the case may be, from the time of the filing in the office of the secretary of state of the original defective certificate; and any such corrected certificate heretofore made, recorded and filed in manner and form as above provided shall have the same validity, force and effect as if the foregoing provisions had been embodied in the act to which this is a supplement, and as if such corrected certificate had been made, recorded and filed in compliance therewith.

Corrected cer-
tificate may be
recorded and
filed.

3. *And be it enacted*, That this act shall take effect immediately, and that all acts and parts of acts inconsistent herewith be and the same are hereby repealed.

Repealer.

Approved March 22, 1886.

CHAPTER LXXXVIII.

A Further Supplement to the act entitled "An act to amend and consolidate the several acts relating to game and game fish," approved March twenty-seventh, one thousand eight hundred and seventy-four.

Section
amended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the nineteenth section of the act to which this is a supplement be amended so as to read as follows:

Penalty for
discharging
deleterious
substances in
streams, lakes
or ponds, &c.

[19. *And be it enacted*, That no person, persons or corporation shall place in any fresh water stream, lake or pond, any lime or other deleterious substance, or any drug or medicated bait, with intent thereby to injure, poison or catch fish, nor place in or allow to flow or be discharged into any pond, lake or stream stocked with or inhabited by trout, bass, pickerel, pike, sunfish or perch, any drug, acid, gas tar or any deleterious substance whatever which will kill or destroy said fish; any person or persons or corporation violating the provisions of this act shall be deemed guilty of a misdemeanor, and, upon conviction thereof shall be punished by imprisonment for a period of not more than two years, or by a fine of not more than two thousand dollars, or by both such fine and imprisonment, at the discretion of the court before which such conviction shall be had.]

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 22, 1886.

CHAPTER LXXXIX.

A Supplement to an act entitled "An act to authorize cities to construct sewers and drains, and provide for the payment thereof," approved March eighth, one thousand eight hundred and eighty-two.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That where any improvements have been made or may hereafter be made under the authority of the act to which this a supplement, and temporary certificates or bonds have been issued to provide for the cost thereof, as provided in said act, it shall and may be lawful to refund the principal of the said temporary loans by issuing permanent bonds, to run for a period of ten years, of such denomination and bearing interest at a rate not exceeding six per centum per annum, and payable at such place as the common council or other governing body of the city may determine; which bonds may be negotiated and sold for any sum not less than par, and the proceeds shall be used to take up and pay off such temporary certificates or bonds, and for no other purpose.

Temporary certificates or bonds may be refunded by issuing of permanent bonds.

2. *And be it enacted*, That all the receipts from assessments made against property benefited by such improvements shall be collected and as received be paid over to the commissioners of the sinking fund of the city, if such commissioners exist therein, and if not shall be set apart for the payment of the interest on such bonds as it accrues, and their payment and redemption when due.

Receipts for assessments to be used for payment of interest and principal of bonds.

3. *And be it enacted*, That if in case it shall be found that such benefits will not furnish a sufficient fund to meet the interest as it accrues, and redeem and pay said bonds when due, it shall be the duty of the common council, or other governing body in such city, annually to raise in the tax ordinance such sum as will, in addition to

Benefits not sufficient to pay interest and redeem bonds, deficiency to be raised annually by taxation.

such benefits, be sufficient for this purpose, placing therein an equal sum each year.

4. *And be it enacted*, That this act shall take effect immediately.

Passed March 23, 1886.

CHAPTER XC.

An Act to amend an act entitled "An act constituting courts for the trial of small causes" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

Section
amended.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That the twenty-second section of the act of which this is amendatory be amended to read as follows:

[22. *And be it enacted*, That all suits brought or commenced hereafter before any justice of the peace in this state, which, under the present practice, would be either actions of debt, covenant, assumpsit or trespass on the case, for injuries arising from breaches of contract or the non-performance of duties arising from contract, shall be in the name and style of actions upon contract, and counts for the said causes of action may be joined in the same suit, any law, usage or custom to the contrary notwithstanding.]

Name and
style of certain
suits.

2. *And be it enacted*, That all actions of trespass, trover and of trespass on the case, cognizable before any court for the trial of small causes shall hereafter be in the name and style of actions of tort, and counts for said causes of action may be joined in the same suit.

Approved March 26, 1886.

CHAPTER XCI.

An Act to regulate the issuing of bonds by municipal corporations.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall not be lawful for any municipal corporation in this state to issue any bonds whereby the indebtedness of any such municipal corporation shall be increased, so long as any such municipal corporation shall remain in default in the payment of any past due bonds or the interest thereon, or shall remain in arrears in the payment of any county or state tax or other legal indebtedness; *provided*, that this act shall not be construed to prohibit or interfere with the issue of bonds or other obligations in anticipation of taxes; *provided, also*, that any such municipal corporation shall not be more than six months in arrears in the payment of any such county or state tax or other legal indebtedness.

Unlawful to
issue bonds
when default
in payment of
past due
bonds, &c.

Proviso.

Proviso.

2. *And be it enacted*, That all acts and parts of acts, special, general, public and private, inconsistent with the provisions of this act be and the same are hereby repealed, and that this act shall take effect immediately.

Repealer.

Approved March 26, 1886.

CHAPTER XCII.

A Further Supplement to an act entitled "An act for the formation of borough governments," approved April fifth, one thousand eight hundred and seventy-eight.

May designate a justice of the peace to try complaint for violation of ordinances. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the mayor and council of any borough may select and designate a justice of the peace in the borough to try and determine all causes and complaints for violation of any ordinance of its mayor and council, and the justice of the peace so selected and designated shall have the same power and authority to issue process, try and determine said causes, fine and imprison, upon conviction, in all respects, as the mayors of boroughs are now given by law.

May establish ordinances as to grades and boundaries of streets, &c. 2. *And be it enacted*, That it shall be lawful for the mayor and council of any borough to make and establish ordinances for ascertaining and establishing the grades and boundaries of all streets, avenues, alleys and sidewalks therein.

3. *And be it enacted*, That this act shall take effect immediately.

Approved March 26, 1886.

CHAPTER XCIII.

Supplement to an act respecting bridges.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever a majority of ^{Freeholders authorized to purchase toll bridges, &c.} the board of chosen freeholders of any county of this state shall agree upon the utility of maintaining any toll-bridge, being private or incorporated property, as a free public bridge, it shall be lawful for said chosen freeholders, at the expense of the county, to purchase said bridge and maintain the same as a free bridge for public use; *provided*, that this act shall not apply to any bridge ^{Proviso.} used in connection with any turnpike or road owned or controlled by a corporation.

2. *And be it enacted*, That so much of the act of incor- ^{Repealer.} poration of any bridge company heretofore incorporated as is incompatible with the provisions of this act be and the same is hereby repealed.

3. *And be it enacted*, That this act shall take effect immediately.

Approved March 26, 1886.

CHAPTER XCIV.

An Act in relation to mendicant and vagrant children.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any person, whether as pa- ^{Penalty for letting out, employing or hiring of children for certain purposes, &c.} rent, relative, guardian, employer or otherwise, having in his or her care, custody or control, any child or children under the age of twelve years, who shall sell, apprentice,

give away, let out, employ, or otherwise dispose of any such child or children to any person, under any name, title or pretense, for the vocation, use, occupation, calling, service or purpose of singing, playing on musical instruments, rope-walking, dancing, begging in any public street or highway, or in any mendicant or wandering business whatsoever, and any person who shall take, receive, hire, employ, use or have in custody any such child or children for the purpose above named, or any of them, shall be deemed to be guilty of a misdemeanor, and, upon conviction thereof before any court or other competent tribunal, shall be fined in a sum of not less than fifty nor more than two hundred and fifty dollars, or be imprisoned at hard labor in a county jail or penitentiary for a period not less than thirty days nor more than one year, or both such fine and imprisonment, in the discretion of the court.

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 26, 1886.

CHAPTER XCV.

A Supplement to an act entitled "An act to provide for the organization of the New Jersey Home for Disabled Soldiers," approved April fourth, one thousand eight hundred and sixty-six.

Names of commissioners.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Rynier H. Veghte, Edward H. Wright, Amzi Dodd, Frederick A. Potts, Marcus L. Ward, Joel Parker, Henry M. Nevius, R. A. Donnelly, Charles A. Heckman, William E. Potter, George F. Currie, George Richards, Ralph B. Gowdy, and the Department Commander of the Grand Army of the Republic of the State of New Jersey, for the time being

be and are hereby appointed a commission and authorized and empowered to select from among the lands now held by the commissioners of the sinking fund of this state a site for the erection and construction of a suitable building or buildings thereon, or to purchase any land and building or buildings thereon, suitable for a home for disabled soldiers and sailors, to be used and occupied pursuant to the provisions of the act to which this act is a supplement. Authorized to select and purchase lands, &c.

2. *And be it enacted*, That there shall be and is hereby appropriated out of the money in the treasury of this state, not otherwise appropriated, sixty thousand dollars, or so much thereof as may be necessary for the purpose aforesaid, to be drawn on the warrant of the comptroller of the state upon the order in writing of said commission or their successors. Appropriation.

3. *And be it enacted*, That said commission shall have power to make all necessary contracts for the purchase of said lands and the erection or purchase of a suitable home, and shall, after the completion thereof, turn the same over to the board of managers of the New Jersey Home for Disabled Soldiers, to be conducted and controlled by them, as now provided by the act to which this act is a supplement and the several supplements thereto. Commission may purchase lands and erect buildings, &c.

4. *And be it enacted*, That this act shall take effect immediately.

Approved March 26, 1886.

CHAPTER XCVI.

An Act relative to recorders in this state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the recorder of any city of this state may, in case of his necessary temporary absence from his court, or inability from any cause to act therein, designate and appoint a justice of the peace to act in his stead during the period of such absence or Recorder authorized to designate and appoint a justice of the peace to act in his absence.

Proviso.

inability, and such justice of the peace, while so acting, shall have, hold, exercise, use and perform any power, privilege, duty, authority or jurisdiction which is or shall be conferred upon or granted to said recorder; *provided*, that no such appointment shall be authorized or continue for a longer period than two days without the consent of the mayor of such city.

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 26, 1886.

CHAPTER XCVII.

An Act to enable street car or horse railroad companies to provide better accommodation to the public, by using what is now known as the cable system for motive power on elevated roads.

Railroad companies empowered to construct, maintain and operate elevated railroads.

Proviso.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any and every street car or horse railroad, or railway company, or railway or railroad company now operating a street railroad by horse power, incorporated under the laws of this state, in order to afford more rapid, safe and comfortable means of transporting passengers than is possible on a surface road, be and the same hereby is and are authorized and empowered to construct, maintain and operate, within the limits of the territory in which such company or companies is and are authorized by law to construct, maintain and operate surface roads, one or more elevated railroads, with necessary stations and stairways, over the streets or highways in such city or cities, town or towns, township or townships; *provided*, that the cars on such elevated road or roads shall be propelled by means of a wire rope or cable, to be put and kept in motion by stationary steam power, located at such convenient point or points as may be

necessary for the purpose, beyond the limits of any street or public highway, and not by locomotive steam engines; *and provided, further*, that such elevated roads shall be Proviso. constructed in such manner, in regard to the position of supporting posts or pillars, and in regard to elevation above the street or highway over which they are to be constructed, as not to interfere with the use of any public sewer, water pipe or any other public work, nor with ordinary public travel thereon, except to such extent as may be unavoidable in carrying out the provisions of this act; *and provided, further*, that no elevated railroad shall be Proviso. constructed over any street or highway unless the consent, in writing, of the owners of at least one-half of the property fronting on such street or highway be first had and obtained, and unless all damage, if any, done to property fronting on such street, the owner or owners of which have not given their consent, be first ascertained and paid in the manner hereinbefore provided; *and provided, also*, Proviso. that the consent of the municipal authorities of the city, town or township, in which such road is proposed to be built, be first had and obtained.

2. *And be it enacted*, That when such company or com- Proceedings in case company or owner cannot agree as to the purchase of land, &c. panies, or their agents, cannot agree with the owner or owners thereof for the use, grant or purchase of any land or materials, or easement or easements, or the right to pass along the street in front of any property which may be required for the purpose of executing this act, or when by reason of the absence or legal incapacity of such owner or owners no such agreement can be made, a particular description of the land, materials or easements or right of passage so required for the use of such company or companies in the construction, maintenance and operation of said road or roads, and the necessary appurtenances thereto, shall be given in writing under the oath or affirmation of some engineer or proper agent of the company or companies, and also the name or names of the occupant or occupants, if any there be, and the owner or owners, if known, and their residence if the same can be ascertained, to one of the justices of the supreme court of this Justice of the supreme court to appoint commissioners. state, who shall cause the said company making such application to give notice thereof to the person or persons interested, if known and in this state, or if unknown or

Commis-
sioners to take
oath, view the
lands, &c., and
to make
report.

When com-
pany may
enter on lands,
&c.

out of this state to make publication thereof as he shall direct for any term not less than five days, and to assign and designate a particular time and place for the appointment of the commissioners hereinafter provided for, at which time and place, upon satisfactory evidence to him of the service or publication of the notice aforesaid, he shall appoint, under his hand and seal, three disinterested, impartial and judicious freeholders, residents in the county in which the lands, materials or easements in controversy lie, commissioners to examine and appraise the lands, materials or easements, or right of passage, and to assess the damages, upon such notice to be given to the persons interested as shall be directed by the justice making such appointment, to be expressed therein, not less than five days; and it shall be the duty of said commissioners (having first taken and subscribed an oath or affirmation before some person duly authorized to administer an oath, faithfully and impartially to examine the matter in question, and to make a true report according to the best of their skill and understanding,) to meet at the time and place appointed and to proceed to view and examine the said land and materials or easements, and to make a just and equitable estimate or appraisement of the value of the same, and an assessment of damages to be paid by the company for such lands, materials or easements, or right of passage, and damages aforesaid, which report shall be made in writing under the hands and seals of said commissioners, or any two of them, and filed within ten days thereafter, together with the aforesaid description of the lands, materials or easements, and the appointment and oaths or affirmations in the clerk's or register's office of the county in which the lands, materials or easements are situate, to remain of record therein; and thereupon and on payment or tender of payment of the amount awarded as hereinafter provided, the said company is hereby empowered to enter upon and take possession of the said lands, materials or easements, or right of passage, for the purposes aforesaid, and the said report, or a copy thereof, certified by the clerk of said county, and proof of payment or tender of the amount awarded, shall at all times be considered as plenary evidence of the right of any such company to have, hold, use, occupy, possess and

enjoy the said lands, materials or easements, or right of passage, and the said justice of the supreme court shall, upon application of either party, and on reasonable notice to the others, tax and allow such costs, fees and expenses to the justice of the supreme court, commissioners, clerks and other persons performing any of the duties prescribed in this section as he shall think equitable and right, which shall be paid by the company; *provided*, Proviso. *always*, that should any such company or the owner or owners of any of the land, materials or easements feel aggrieved by the decision of the commissioners aforesaid, he, she or they may appeal to the next circuit court in the county wherein the said land, material or easement, or right of passage may be.

3. *And be it enacted*, That every appeal from the decision of the commissioners appointed under the preceding section shall be in writing and in the form of a petition to said court, and filed with the clerk of the said circuit court of the county wherein the land, easement or materials appraised by said commissioners shall be, and notice in writing of such appeal shall be given to the opposite party within ten days after the filing thereof, which proceeding shall vest in the circuit court full right and power to hear and adjudge the same, and to direct a proper issue for the trial of said controversy to be formed between the said parties, and to order a jury to be struck and a view of the premises to be had, and the said issue to be tried at the next term of said court to be holden in the said county, upon the like notice and in the same manner as other issues in the said court are tried; and it shall be the duty of the said jury to assess the value of the said land, easement, or right of passage or materials and damages sustained, and if they shall find a greater sum than the said commissioners shall have awarded in favor of said owner or owners, then judgment thereon, with costs, shall be entered against such company, and execution awarded therefor; but if the said jury shall be applied for by the owner or owners, and shall find a less sum than the said company shall have offered or the said commissioners shall have awarded, then costs shall be paid by the said applicant or applicants, and either deducted out of said sum found by the said jury or execu- Proceedings in case of appeal.

Proviso.

tion awarded therefor, as the court shall direct; but such application shall not prevent the company from taking the said land or easement upon filing the report aforesaid; *provided*, that in no case whatever shall any company under this act enter upon or take possession of any land of any person or persons for the purpose of actually constructing such elevated railroad, or of making any erection or improvements whatever, or otherwise appropriating said lands or easements or right of passage to the use of any such company mentioned in this act, until they have paid to the party or parties entitled to receive the same the amount assessed by the commissioners as the value of such land, easements or damages, in case the report of the commissioners is not appealed from, or if the same is appealed from, then the amount which shall be found by the jury by whom the issue shall be tried; but in case the party or parties entitled to receive the amount assessed by the commissioners in case there be no appeal, and in case of appeal the amount found by the jury, shall refuse, upon tender thereof being made, to receive the same, or shall be out of the state or under any legal disability, then the payment of the amount assessed or found as aforesaid into the circuit court of the county wherein the said lands lie, shall be deemed a valid and legal payment; and on such tender or payment of the money into court in case it be refused as aforesaid, or in case such company as mentioned in this act shall appeal from the finding of said commissioners, then the said company, upon payment of the amount so assessed or found as aforesaid into said circuit court, shall be empowered to enter upon and take possession of the said lands and easements and proceed with the work of constructing its road.

When company not liable to pay damages.

4. *And be it enacted*, That if such company shall, within six months after the filing of the report of said commissioners, in case there be no appeal, and within six months after the entry of the verdict on appeal, give notice in writing to said owner or owners that the said company has determined not to proceed with the construction of such elevated road, then and in that case said company shall not be liable to pay the damages awarded as aforesaid to said owner or owners, but only such costs, expenses and rea-

sonable counsel fees as such owner or owners may have necessarily incurred and expended in conducting said proceedings, the same to be taxed by one of the justices of the supreme court on five days' notice in writing to the opposite party; and when such costs and expenses are taxed as aforesaid, such taxation of costs and expenses may be filed with the clerk of the county in which such proceedings are had, and a rule for judgment thereon may be entered in the minutes of the circuit court of such county, on which execution may issue pursuant to the law and practice of said court.

5. *And be it enacted*, That this act shall be deemed a public act and shall take effect immediately.

Approved March 26, 1886.

CHAPTER XCVIII.

An Act relating to the building of bridges over railroads by boards of chosen freeholders of counties in this state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That where any railroad shall cross at least eight feet below grade any street in any city in this state, and said street where the same is crossed by any such railroad shall have been dedicated and shall have been wholly or in part opened or improved subsequent to the building of such railroad, and by reason of such railroad cut or crossing it shall be necessary to construct a bridge across said railroad, cut or crossing for the convenience of public travel over any such street, and for the purpose of making such street a continuous highway, it shall be lawful for, and the board of chosen freeholders of any county in this state in which any city containing such street is situated is hereby authorized and empowered to construct and maintain a proper bridge across any such railroad cut or crossing,

Freeholders
authorized to
build bridges
over railroads
&c., upon
petition.

together with suitable abutments to connect the termini of any such street on either side of such railroad, cut or crossing, upon petition therefor, presented or to be presented to any such board, which petition shall be signed by the owners of at least one-third of the property within a radius of five hundred feet each side along the line of any such street.

Board of freeholders authorized to borrow money and issue bonds for the construction of bridges.

2. *And be it enacted*, That for the payment of the cost of constructing such bridge and abutments, as aforesaid, if it shall appear that the appropriation for such purposes for any year in which such bridge shall be built is not sufficient to pay for the construction thereof, it shall be lawful for, and any such board of chosen freeholders is hereby authorized to borrow an amount not exceeding the sum of fifteen thousand dollars, and to issue bonds therefor, which said bonds shall be sealed with the seal of any such county, signed by the proper county authorities, and shall run for a term of years and for a rate of interest to be agreed upon by any such board of chosen freeholders, or a majority thereof; *provided, however*, that the interest thereon shall not exceed the rate of five per centum per annum; *and provided, further*, that such bonds shall not be sold for less than par.

Proviso.

Proviso.

Act. how construed.

3. *And be it enacted*, That nothing in this act contained shall be construed to relieve any railroad corporation from any requirement to build any bridge over any railroad under any existing law.

4. *And be it enacted*, That this act be deemed a public act and take effect immediately.

Approved March 26, 1886.

CHAPTER XCIX.

An Act to amend an act entitled "A further supplement to an act entitled 'An act to regulate the state library,' " which supplement was approved March twenty-second, one thousand eight hundred and eighty-three.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section one of the act to which this is a supplement be and the same is hereby amended so that the same shall read as follows:

[1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the sum of twenty-five hundred dollars shall be the annual appropriation for the improvement and increase of the state library, the said sum to be drawn from the treasury of the state by the commissioners of the state library and expended under their direction in the repair, preservation and purchase of useful books.]

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 26, 1886.

CHAPTER C.

A Further Supplement to an act entitled "An act concerning townships and township officers," approved April twenty-first, one thousand eight hundred and seventy-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever any township in

Owners of land
may file
remonstrance
against open-
ing or laying
out of new
roads or
streets.

this state, or any board of commissioners of any township or any part thereof, shall have in contemplation the laying out or opening of any new road or street within such township, or shall have taken any steps in the laying out or opening of such new road or street, it shall be lawful, at any time before the damages to be awarded for the opening of such new road or street shall have been assessed, for a majority of the owners of the land in lineal feet frontage to be assessed for such improvement to file with the township clerk a remonstrance, in writing, against the opening or laying out of such new road or street, signed by them or their agents lawfully authorized, and thereupon the said township committee, as well as any commissioner or board of commissioners or board of assessments that may have been appointed or selected for laying out or opening such new road or street, or for assessing damages, benefits or expenses resulting from or connected with such proposed improvement, shall forthwith desist from and proceed no further with the opening or laying out of such proposed new road or street, and all costs and expenses that shall have been incurred in the matter of such new road or street shall become a charge upon such township, to be collected and paid in the manner provided by law for the collection and payment of the ordinary expenses of such township.

Repealer.

2. *And be it enacted*, That all acts or parts of acts inconsistent with this act are hereby repealed.

3. *And be it enacted*, That this act shall take effect immediately.

Approved March 26, 1886.

CHAPTER CI.

An Act to amend an act entitled "An act to establish a system of public instruction" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section eighty-eight of an act entitled "An act to establish a system of public instruction" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four, be and the same is hereby amended so as to read as follows:

[88. *And be it enacted*, That the bonds of the several school districts of this state heretofore or hereafter legally issued for the purpose of building school-houses, or for enlarging or repairing school-houses, shall be a lien upon the real and personal estates of the inhabitants of the said districts, as well as the property of the districts; and the property of the inhabitants, as well as the property of the districts, shall be liable for the payment of the same; and the interest on said bonds shall be payable semi-annually, and coupons shall be attached thereto; and that in all cases copies of all papers and proceedings authorizing the issuing of such bonds shall be submitted to the attorney-general for his approval of the legality of the same; and that duplicate copies of such papers and proceedings shall be sent to the state superintendent of public instruction.]

2. *And be it enacted*, That the district clerk, or other person performing the duties of a district clerk, in any district in which there is any interest-bearing school debt, shall, on or before the first day of September in each year, report to the state superintendent of public instruction the amount of such debt then remaining unpaid, together with the rate of interest, the date or dates on which the

Section amended.

Bonds issued to be a lien on real and personal estate of inhabitants.

Copies of papers and proceedings to be submitted.

Duties of district clerk.

bonds, notes or other evidences of indebtedness were issued, and the date or dates on which they shall fall due.

3. *And be it enacted*, That this act shall take effect immediately.

Approved March 26, 1886.

CHAPTER CII.

An Act regulating the pay of officers and policemen in certain cities of this state.

Compensation
of officers and
policemen.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in all cities of this state other than towns, cities or boroughs which are known as seaside resorts, the pay or salaries of the following-named officers shall be as hereinafter specified, viz.: to sergeants, detectives or lieutenants, the sum of not less than ten hundred dollars per annum; to round-sergeants or roundsmen, the sum of not less than nine hundred and fifty dollars per annum, and to patrolmen, the sum of not less than nine hundred dollars per annum, in lieu of all other compensation whatever.

Act, when to
take effect.
Proviso.

2. *And be it enacted*, That this act shall take effect immediately; *provided*, that its provisions shall remain inoperative in any city or municipality until assented to by a majority of the legal votes cast for or against an increase of pay at any regular charter or general election to be hereafter held in such city or municipality; and the city clerk of such city or municipality shall, on the resolution of the common council, board of aldermen, board of police commissioners, or other governing body of such city or municipality, provide for each elector voting at such election, ballots to be printed or written, or partly printed or partly written, on which shall be either the words "For increase of pay of police department," or "Against increase of pay of police department," and if a majority of those voting shall be in favor of an increase

of the pay of the police, then this act shall go into effect immediately, and the pay or salaries of the officers or men of such department shall be as hereinbefore stated; persons entitled to vote at any charter or general election, shall express their assent to or rejection of this act by depositing their ballots in the box provided for depositing ballots at such election, in the election precincts, districts or wards of any such city, and those who are in favor of the acceptance of this act shall each deposit a ballot containing the words "For increase of pay of police department," written or printed thereon; and those who are opposed shall each deposit a ballot with the words "Against increase of pay of police department," written or printed thereon; and this acceptance or rejection may be expressed upon the ballot on which are the names of the ward, city, county or state officers, and shall be counted in determining such result; there shall be a canvass on the return of the votes upon the question of such acceptance or rejection, made by the election officers in the same way and manner as for officers voted for at such election.

Approved March 26, 1886.

CHAPTER CIII.

A Further Supplement to an act entitled "An act for the formation of borough commissions," approved March seventh, one thousand eight hundred and eighty-two.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all borough commissions which have been organized, or which shall be organized under the provisions of said act, shall have power to ordain and enforce ordinances for the following purposes, in addition to the powers granted by said act and the supplements thereto; for appointing policemen, regular or special, watchmen and other subordinate officers, and prescribing

Borough commissions empowered to ordain and enforce ordinances.

their powers, duties and compensation; for the more effectual suppression of vice and immorality; for preserving peace and good order; for restraining vagrants, mendicants and street beggars; for preventing, restraining or suppressing any riots, routs, disturbances, disorderly assemblages or breaches of the peace in any street, alley, house or place in said borough commission, and may make and impose fines and penalties against all persons who shall offend against the ordinances of said commission.

President to be
and have
powers of a
justice of the
peace.

President to
hold court, and
his powers, &c.

Proviso.

2. *And be it enacted*, That the president of any borough commission which has been organized, or which shall be organized under the provisions of said act, shall be a justice of the peace ex-officio, and shall have all the powers and authority of a justice of the peace in the state of New Jersey; and the said president shall hold a court which will be a court of record, and take cognizance of all offenses against the ordinances of the commission of which he is president, and of all forfeitures, penalties, fines and imprisonments laid or to be laid by the ordinances of said borough commission; *provided, however*, that the said president shall not, by virtue of his office, be authorized to try any civil action except such as may arise under an ordinance for the recovery of a penalty, forfeiture or fine, or for an assessment for taxes or damages; and it shall be lawful for said president, upon complaint made on oath or affirmation of any offense committed against any of the ordinances of said borough commission, or against the laws of the state of New Jersey, to issue his warrant to any policeman of said borough commission to apprehend said offender or offenders and bring him, her or them before said president, and on conviction of said offense, to punish said offender or offenders by fine or imprisonment, or both, as the case may require, together with costs of conviction, which costs shall be the same as those allowed justices of the peace, and by his warrant, directed to any policeman of said borough commission, in case the offender be sentenced to imprisonment, to command that he, she or they be conveyed to the common jail of the county wherein said borough commission is situate, there to be confined until the term of imprisonment shall have expired and until the costs of conviction be paid, or if said offender be adjudged to pay a fine, then there to

remain until said fine and costs of conviction be paid, or to issue a warrant directed to any constable of the county wherein such borough commission is situate, commanding said officer to levy and make such fine and costs of the goods and chattels of such offender; *provided*, that any such offender convicted as aforesaid may appeal for the remission of any fine or costs to the borough commissioners, and the said commissioners may remit the whole or any part thereof upon such terms as they may deem best to prescribe and impose; and the said policeman is hereby authorized and required to execute the processes aforesaid, and the jailer of the county in which said borough commission is situate shall receive and safely keep all such offenders as shall be committed to the jail of said county by the president of said borough commission for the term of his, her or their imprisonment, as expressed in the warrant of commitment, and all the expenses of keeping such offenders in said jail shall be borne and paid by the county; *provided*, that all executions commanding the sale of the goods and chattels of any offender to make any fine, penalty or forfeiture, shall be directed and delivered to a constable of the county. Proviso.

3. *And be it enacted*, That it shall be the duty of the president of every borough commission to see that the laws of the state and the ordinances of the borough commission are faithfully executed in such borough commission; he shall maintain peace and good order in the borough commission of which he is president and shall have the same power to suppress all riots and tumultuous or disorderly assemblages, and cause to be arrested on his view, without process or warrant, and to commit for trial all persons violating or whom he has reason to believe have violated the laws of this state or the ordinances of said borough commission, or to require the offenders to enter into recognizance to answer the charges, as the justices of the peace of this state now have. Duties of the president.

4. *And be it enacted*, That all acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and that this act shall take effect immediately. Repealer.

Approved March 26, 1886.

CHAPTER CIV.

A Supplement to the 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], approved March twenty-seventh, one thousand eight hundred and seventy-four.

Deeds
validated.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all deeds of real estate made by an executrix after marriage, and recorded before March first, one thousand eight hundred and eighty-six, shall have the same force and effect, and be as valid as if the same had been executed and delivered before the passage of an act entitled "A further supplement to the act entitled 'An act respecting the orphans' court and the power and authority of surrogates,'" which supplement was approved March seventeenth, one thousand eight hundred and fifty-five.

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 26, 1886.

CHAPTER CV.

Supplement to an act entitled "An act for the punishment of crimes," approved March twenty-seventh, anno domini one thousand eight hundred and seventy-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That if any person or persons

shall, by means of any boats, scows, or vessels, or in any manner whatever, cast or cause to be cast, thrown, dumped, or deposited, any mud, earth, soil, ashes, gravel, refuse, rock, or other solid material into the waters of the river Delaware below the head of navigation, such person or persons, for each and every such offense, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding three hundred dollars or by imprisonment not exceeding two years, or both, at the discretion of the court; *provided*, Penalty for dumping or depositing mud, gravel, &c., in the Delaware river, below head of navigation. *however*, that nothing in this act shall be taken to interfere with or prevent any person or persons dumping or depositing any such material within any bulkhead, or by the side of any bulkhead to be forthwith thrown into the same, or where the same shall be so confined that no dirt or refuse therefrom can escape into the waters of said river, or with improvements made upon lands under water which have been or may hereafter be granted or leased by the riparian commissioners or granted by legislative act, but all such improvement shall be so made that no portion of such filling in shall escape upon the lands of any such adjoining grantee or lessee; *provided*, Proviso. the same shall not apply to any person acting under and by virtue of any act of Congress of the United States or authority of the secretary of war of the United States.

2. *And be it enacted*, That for any violation of this act done in the view of any constable or police officer such constable or officer is hereby authorized and required, without warrant, to arrest and carry such offender or offenders before a justice of the peace of the county where such arrest is made or offense committed, and such justice is hereby required to take from such officer a complaint in writing, under oath or affirmation, of such offense, and upon receiving such complaint, the said justice shall proceed as in criminal cases. Constable or police officer may arrest offenders without warrant.

3. *And be it enacted*, That if any constable or police officer shall neglect or refuse to perform the duties required of him by this act, such constable or police officer shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of fifty dollars. Penalty for constable, &c., neglecting or refusing to perform duties.

4. *And be it enacted*, That this act shall take effect immediately.

Approved March 26, 1886.

CHAPTER CVI.

A Supplement to an act entitled "An act to prescribe the notice to be given of applications to the legislature for laws when notice is required by the constitution," approved January twenty-sixth, one thousand eight hundred and seventy-six.

Notice to be
published in
newspapers.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That for the passage of any bill for the purpose of approving any lease, union or consolidation, or merger, pursuant to the provisions of an act entitled "An act respecting the leasing of railroads," approved May second, one thousand eight hundred and eighty-five, the notice required by the first section of the act to which this is a supplement shall be published in a daily newspaper for at least six consecutive days prior to the introduction of such bill.

Repealer.

2. *And be it enacted*, That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and that this act shall take effect immediately.

Approved March 26, 1886.

CHAPTER CVII.

A Supplement to an act entitled "An act respecting the compensation of the clerk in chancery and the clerk of the supreme court of this state," approved March fourteenth, one thousand eight hundred and seventy-nine.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the first section of the act to which this is a supplement be amended so as to read as follows:

[1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the clerk in chancery and the clerk of the supreme court of this state shall each be entitled to receive for copies and enrolling proceedings, for each folio of one hundred words, five cents, and no more, of which sum they shall respectively retain two cents, and such portion of the balance as shall not be expended and actually paid out for enrolling proceedings, copies and recording shall be paid into the state treasury.]

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 26, 1886.

CHAPTER CVIII.

An Act to provide for the payment of the expenses of trials of impeachment.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the expenses incurred by the senate, sitting as a court of impeachment, upon the trial

Expenses of trials of impeachment to be paid by state treasurer.

of any impeachment, and such expenses as may be incurred under the direction of such court by any officer of the court, or by the managers appointed by the house of assembly to conduct the trial of such impeachment, the fees and expenses of witnesses on behalf of the state, the compensation of the stenographer of the court, and all other costs and expenses on behalf of the state, properly incurred, or made in the preparation for, management or conduct of, such trial, shall be paid by the state treasurer, upon the warrant of the comptroller, to the person entitled thereto, upon the presentation of a proper voucher therefor approved by the president of said court.

Witness fees
and mileage.

2. *And be it enacted*, That every person summoned to attend such court as a witness shall be entitled to receive from the party in whose behalf such witness is summoned one dollar for each day's attendance at said court, and mileage at the rate of six cents for each mile required to be traveled in going from and returning to his place of abode; no witness shall be required to attend such court until one day's fee, and mileage for one way by the most usual route from his place of abode to the city of Trenton, is paid or tendered.

Comptroller to
draw warrants
for certain
amounts to
meet
expenses, &c.

3. *And be it enacted*, That for the purpose of providing funds to pay witnesses summoned to such trial, on behalf of the state, the comptroller is hereby authorized to draw his warrant upon the state treasurer, upon the order of the president of the court, in favor of the sergeant-at-arms of the senate, or other officer intrusted by said court with the services of process, or in favor of the chairman of the board of managers appointed by the house of assembly, for such sum or sums, not exceeding three hundred dollars at one time, as will be sufficient to meet the expenses of such payments of witnesses and such other expenses as may be necessarily and properly incurred in serving such process, or in the preparation, management or conduct of such trial, and such officer shall, at the end of the trial, account to the comptroller for his disbursements out of such fund and forthwith pay into the treasury of the state any unexpended balance thereof; and shall file with the comptroller vouchers for the sums disbursed by him, or under his direction.

Account of
expenses to be
made, &c.

4. *And be it enacted*, That the said court may order the board and maintenance of any indigent person summoned as a witness on such trial, while in attendance thereon, to be paid by the sergeant-at-arms, or other officer charged with the service of process, out of the money of the state in his hands, in the same manner as witnesses fees are paid; but all bills for such board and maintenance, and all payments to witnesses of fees and mileage, except those required to be made in advance, shall be paid only on the certificate of the clerk of the court that the same are correct.

Court may order the board and maintenance of indigent witnesses paid.

Bills, &c., to be paid only on certificate.

5. *And be it enacted*, That this act shall take effect immediately.

Approved March 30, 1886.

CHAPTER CIX.

A Further Supplement to the act entitled "An act to provide for the regulation and incorporation of insurance companies" [Revision], approved April ninth, one thousand eight hundred and seventy-five.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever any person who is now or hereafter may be required by law or otherwise to make, execute or give a bond or enter into recognizance with security for the faithful performance of any trust, duty or office, or for the doing or not doing of anything in said bond or recognizance specified, any person or corporation, officer or officers, public or private, judicial, legislative, executive or corporate, who is now, or which now are or hereafter may be required or authorized by law or otherwise to approve the sufficiency of such bond or recognizance, may, in his or their discretion, accept such bond or recognizance and approve the same whenever the same shall be executed or the conditions thereof guaranteed by any insurance company organized under

Official bonds, &c., may be accepted and approved when guaranteed.

Companies
authorized to
execute and
guarantee
official bonds.

the laws of other states for the purpose of transacting the business of suretyship of personal or official bonds or recognizances, and which companies are hereby duly authorized under this act, with the authority of the secretary of state as provided in the act to which this is a supplement, to transact business in this state; and all such corporations are hereby vested with full power and authority to execute such bonds and to enter into recognizances.

When
authority
revoked, new
security
required.

2. *And be it enacted*, That whenever the secretary of state shall suspend or revoke such authority to do business in this state, new or supplemental security shall be required of the person for whom such company is surety; *provided*, that the liability of such company shall not be impaired by the requiring of such new security.

Proviso.

Companies to
file and keep
power of attor-
ney in office of
secretary of
state.

3. *And be it enacted*, That any such company shall, as a condition precedent to its transacting any business in this state, file and keep in the office of the secretary of state a power of attorney irrevocable, except by substitution of a like power of attorney with the consent of the secretary of state, which power of attorney shall be executed under the seal of such company, and shall designate the name and address of an attorney-at-law resident in this state as the attorney of such company, upon whom all process and papers in any suit in any court of this state against such company may be served, and which attorney shall be thereby authorized and directed to enter the appearance of such company to any such suit, and such corporation so transacting business in this state shall be subject to the existing laws regulating insurance companies, to which this is a supplement.

Corporations
to be subject
to existing
laws.

4. *And be it enacted*, That this act shall take effect immediately.

Passed March 30, 1886.

CHAPTER CX.

An Act to enable cities in this state to refund bonds falling due in one thousand eight hundred and eighty-six, for which no sinking fund has been provided, and to provide a sinking fund therefor.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for the common council or other governing body having charge of the finances of any of the cities of this state to issue the corporate bonds of such city to an amount sufficient to take up and redeem any bonds of such city falling due during the year one thousand eight hundred and eighty-six, for the redemption of which no sinking fund has been provided, and the proceeds of the bonds hereby authorized shall be used to take up and pay off such bonds so falling due, and for no other purpose whatever, but said bonds shall not be sold at less than par. Cities authorized to refund bonds falling due during the year 1886.

2. *And be it enacted*, That the bonds hereby authorized shall be of such denomination, and bear such rate of interest, not exceeding five per centum per annum, and be made payable at such place and at such time, not exceeding thirty years from the date of their issue, as the common council or other governing body may determine. Rate of interest, &c.

3. *And be it enacted*, That in every case where such bonds are issued, in any city, it shall be the duty of the common council or other governing body having charge of the finances of such city, annually thereafter, to provide in the tax ordinance of such city for the raising by taxation therein of a sufficient amount to meet and pay the interest thereon as it accrues, and a sufficient sinking fund for their payment and redemption when due, which sum so raised shall be devoted exclusively to such purpose and be paid over to the commissioners of the sinking fund of such city therefor, where such commissioners exist in any such city. Interest to be paid by taxation, &c. Sinking fund to be provided.

4. *And be it enacted*, That this act shall take effect immediately.

Passed March 30, 1886.

CHAPTER CXI.

A Supplement to an act entitled "An act to authorize the incorporation of rural cemetery associations and to regulate cemeteries" [Revision], approved April the ninth, one thousand eight hundred and seventy-five.

Trustees
authorized to
lay out
grounds into
lots and sold
for burial pur-
poses.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in all cases where the grounds of any cemetery association have been laid out on a map or maps, on which there are portions of ground not marked out into lots, and which have not been laid out as a park and the same dedicated as such in the deeds given for burial lots in said cemeteries, or which have not been heretofore reserved and set apart for building purposes, and not laid out as avenues, it shall be lawful for the trustees of such associations to cause such portions of the grounds to be laid out into lots and sold for burial purposes; *provided, however*, that paths or other roadways shall be maintained to the lots already sold.

Proviso.

Repealer.

2. *And be it enacted*, That 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.

Passed March 30, 1886.

CHAPTER CXII.

An Act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water-rates or water-rents in cities of this state, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assessment.

WHEREAS, arrears of unpaid taxes, assessments and water-rates in cities of this state have accumulated to the amount of many millions of dollars; *and whereas*, the validity of some such unpaid taxes, assessments and water-rates has been, or may be called in question by reason of some irregularity, omission or defect in the procedure instituting, laying or imposing the same, or because of the unconstitutionality of the laws or methods under which such proceedings were had or taken; *and whereas*, several cities have issued and sold bonds or obligations in anticipation of the collection, or on account of the arrears of such unpaid taxes or water-rates, and have issued and sold their bonds to obtain the money paid for the improvements for which the assessments so in arrears were imposed, or attempted to be imposed, and the said improvements have been completed, and the property assessed therefor has been benefited thereby; *and whereas*, it has been found that the cities of this state have no adequate means to enforce the collection of taxes and assessments by sale of the lands upon which the same have been or may be imposed; now, therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the board of aldermen, common council, or other legislative body of any city in this state, with the concurrence of

Application for
appointment of
commis-
sioners made
to circuit court
by board of
aldermen or
common
council, &c.

Notice of ap-
plication to be
published.

Court to
appoint com-
missioners.

Oath of office
to be taken,
and their com-
pensation.

Vacancies,
how filled.

Powers, duties,
&c., of com-
missioners.

the board or body having charge or control of the finances of the city, in which any such arrearages of taxes, assessments or water-rates may exist, to make application to the circuit court of the county in which such city is situate for the appointment of three freeholders and residents of this state as commissioners of adjustment, at least one of whom shall be a resident of the city, for the purpose of performing the duties and executing the powers conferred by the following sections of this act; at least two weeks' notice of such intended application shall be given by public advertisement, signed by the clerk of the city, and published at least once each week in two newspapers printed and circulating therein; such notice shall state the time and place, when and where said application is intended to be made, and all persons interested therein, either as taxpayers, owners of delinquent lands or otherwise, shall be entitled to appear and be heard before the court on said application; after such hearing, and upon due proof that notice has been given as aforesaid, on which the judgment of the court shall be final and conclusive, it shall be the duty of the court to appoint three disinterested freeholders and residents, as aforesaid, as commissioners of adjustment for said city for the purposes aforesaid; said commissioners of adjustment shall, before entering upon the discharge of their duties, take and file with the city clerk the oath of office required to be taken by officers of the city for which they are appointed, and they shall receive for their services such compensation as the said court shall determine; vacancies in the board of commissioners, caused by death or otherwise, shall be filled in the same manner as original appointments are herein required to be made.

2. *And be it enacted*, That the said commissioners of adjustment, when appointed for any city, shall have power and jurisdiction, and they are hereby directed and required, in all cases when any tax, assessment or water-rate levied or imposed, or attempted to be levied or imposed on any land therein, prior to the passage of this act, remains unpaid and in arrears, to examine into and fix, adjust and determine as to each parcel of land, how much of such arrearages and subsequent taxes, assessments or water-rates, if any, ought, in the way of

tax, assessment or water-rate, in fairness, equity and justice to be laid, assessed and charged against and actually collected from said land for or on account of said taxes, assessments or water-rates and claims for local improvements heretofore made, and the said commissioners, in dealing with the said arrearages as matters of fact, according to their judgment of what shall be equitable, fair and just, as hereinbefore directed, shall treat the same without regard to any supposed want of jurisdiction, invalidity, irregularity or defect in any of the proceedings had for the levying, imposing or confirming of any of said taxes, assessments or water-rates so in arrears; and in ascertaining the amount that should be assessed and charged on any of the said lots, tracts or parcels of land, the said commissioners, in dealing with the assessments or claims for street or sewer improvements, shall not assess or charge any lot, tract or parcel of land, for or on account of any such improvement, in excess of the benefit derived therefrom at the time the said improvement was made, or in excess of its due and equable proportion thereof, with interest; *provided*, that in all cases in which an assessment or a re-assessment has been made on any lot or tract of land under a valid law for the benefit conferred by any local improvement, the said commissioners shall have regard to that fact, and shall not reduce the principal sum of such assessment unless in their judgment, after investigation, they determine that the amount heretofore so assessed thereon does in fact exceed the benefit conferred upon the property at the time the improvement was made; the said commissioners shall, within thirty days after their appointment, cause a notice, signed by themselves, to be published in at least two newspapers printed and circulating in the city for which they were appointed, making known thereby that the said commissioners will meet at a time and place to be therein designated, not more than forty or less than thirty days from the date of the first publication of the notice, to hear all persons interested in the re-assessment or adjustment under this act of the taxes, assessments or water-rates in arrears in the city, or in such part thereof as the said commissioners shall designate in the notice; such notice shall be continued in said newspapers at least once each

Treat arrearages without regard to invalidity or irregularity.

For street or sewer improvements shall not assess in excess of original benefit.

Proviso.

week until said meeting; at the time and place mentioned in said notice all persons interested in said matters, either as taxpayers, owners of assessed lands or otherwise, shall be entitled to appear before said commissioners and be heard either personally or by counsel, and said commissioners shall have the right to examine witnesses under oath in relation to all of said matters, which oath any one of them is hereby authorized to administer; after such hearing and after due examination of the property mentioned in said notice, the said commissioners shall proceed as speedily as may be to fix and adjust the said arrearages of taxes, assessments and water-rates upon the principles aforesaid; and in like manner and upon like notice the said commissioners shall proceed until all the arrearages of taxes, assessments and water-rates in such city have been reviewed, fixed, adjusted and determined as provided in this act; the amount of taxes, assessments and water-rates, for which certificates of sale have been given to and are held by the city, whether such sales are invalid or not, shall be deemed to be in arrears within the meaning of this section, and to have been so in arrears from the date when said taxes, assessments and water-rates were assessed, levied or confirmed, or attempted to be assessed, levied or confirmed. The term "water-rates" in this act shall be construed to include "water-rents."

Commis-
sioners to keep
record of pro-
ceedings.

3. *And be it enacted*, That the said commissioners shall keep a record of their proceedings under this act, in which shall be entered their determination as to the amount to be charged and assessed upon and against each lot or tract of land as aforesaid, designating the same by block and lot numbers on assessment maps to be made for that purpose, and shall make reports, from time to time, as they proceed with the discharge of their duties, of the amounts so charged and assessed, and shall file the same, with the said map, in the office of the clerk of the court by which they were appointed; said reports shall be certified by the signature of at least two of the said commissioners, and upon the coming in and filing of any such report signed by the said commissioners, or any two of them, such notice shall be given as the said court shall direct of the time and place of hearing any objection that may be made to the assessments, charges and liens so fixed and

Reports to be
made and filed.

Notice to be
given for hear-
ing objections.

certified by the commissioners, and, after hearing any matter that may be alleged against the same, the said court shall, by rule or order, either confirm the said report or refer it to the same commissioners, or to other commissioners to be appointed by the said court, to reconsider the subject-matter thereof, and the said commissioners to whom the said report may be so referred, shall return the same corrected and revised, or a new report to be made by them in the premises, to the said court, without unnecessary delay, and the same, on being so returned, shall be confirmed, or again referred by the said court in the manner aforesaid, as right and justice may require, and so, from time to time, until a report shall be made or returned in the premises which the said court shall confirm; any commissioner who shall refuse to sign such report shall file with the same a statement of his reasons for so refusing for the information of the court; said report, upon being so confirmed, shall be final and conclusive upon the said city, and upon all persons owning or having any interest in or lien upon the said lands, and against all persons whomsoever, and the amount so fixed, determined, certified and confirmed in each case, shall thereupon become and be a valid and binding tax, assessment and lien on the lands so designated, in lieu and instead of all outstanding claims of the city for arrearages of taxes, assessments or water rates levied or confirmed, or attempted to be levied or confirmed, prior to the making of the said report, and shall be a valid lien on said lands, having priority over all other liens, claims or demands whatsoever, except taxes, assessments or water-rates levied after the making of the said report, and the proceeds thereof, when collected, shall be applied to the payment of the expenses of carrying out the provisions of this act and any indebtedness to which the original tax assessment or water-rates was specifically pledged, and to the payment of other debts of the city, if any, but no application to any other use shall be made while any bonds of the city remain unpaid; it shall be competent for the said commissioners to include in any one report their several determinations respecting as many lots or tracts of land as may seem to them convenient, and it shall be their duty to indicate in their report

Commissioners refusing to sign to file reasons.

Amounts fixed, valid and binding taxes in lieu of arrearages.

Prior to all other liens except amounts afterwards levied.

Proceeds, how applied.

May include in one report such lands as convenient, and what report to indicate.

Corporation
counsel to
assist, and city
surveyor to
make maps.

how much of the new lien imposed by them on each lot or tract of land was made on account of taxes, assessments and water-rates, respectively, to the end that the money to be derived from the sale of the lands, as hereinafter provided, may be applied in due proportion to the purchase or payment of any bonds or obligations that may have been issued on account of taxes, assessments and water-rates, respectively, or for the payment of which the same may have been pledged: it shall be the duty of the corporation attorney or counsel for the city to assist the said commission by advice, preparation of reports and otherwise in the discharge of their duties when requested, and the city surveyor or engineering department of the city shall make all necessary surveys and maps required; and the said commissioners shall have the power to appoint a clerk, whose compensation shall be fixed by the board or body having charge or control of the finances of the city at a rate not to exceed one thousand dollars a year.

Upon filing
report and
map amounts
fixed to
become due.

4. *And be it enacted*, That upon the confirmation of the said report a certified copy of the same, with the assessment map filed therewith, shall be transmitted to the comptroller of the city, or other officer for collecting assessments, to be filed by him in his office, and thereupon the amount of said tax, assessment and lien so fixed and certified in respect of each and every lot or parcel of land included therein shall immediately become due and payable, and shall be collected by the said comptroller or said other officer without interest, if the same be paid within sixty days after the filing of such certified copy of the report with him, and if not so paid, then with interest from the date of such filing at the rate of six per centum per annum, and if not paid within six months from such filing, with interest at the rate of seven per centum per annum, from the date of such filing; the comptroller or said other officer shall not be required to make any demand for the payment of said tax, assessment and lien, and if, after the expiration of six months from the filing of the said certified copy of any report and assessment map, the amount therein certified in respect of any lot or parcel of land shall not have been collected or paid, the said comptroller or said other officer, after giving notice by advertisement

as hereinafter required, shall sell the said lot or parcel of land at public auction to the highest bidder, but not for less than the amount due from the same, as appears by the said report, with interest and costs; said advertisement shall include a designation of the time and place of sale, and of the ward or wards in which the property then and there to be sold is situate, and the lot and block numbers of the same on the said assessment maps, and shall state that further particulars of the property to be sold may be obtained at the office of the comptroller or said other collecting officer, and it shall not be necessary in said advertisement to include any further particulars of the property to be sold; said advertisement shall be published once in each week for four weeks prior to said sale in two newspapers printed and circulating in the city; it shall be the duty of said comptroller or other collecting officer, from and after the first publication of said advertisement, to deliver to any applicant at his office, within office hours, a written or printed list of all the parcels of property intended to be included in said sale, but it shall not in any wise be an objection to the validity of any sale that any person has failed for any reason to receive such list; it shall not be necessary, in the said list, or in the reports of the said commissioners hereinbefore mentioned, or in any notice required to be given or published by any of the provisions of this act, to state the name of the owner of the premises affected, nor to describe the premises affected otherwise than by the said block and lot numbers on the said assessment maps; the sale may be adjourned or continued from time to time by the said comptroller or other collecting officer, but it shall not be necessary to publish any notice of such adjournment or of the continuation of the sale; affidavits of the publication of the notice of sale, in the manner above provided, and of all other notices required by the provisions of this act to be published, made by one of the respective publishers of said newspapers, or by some person in the employ of such publisher having cognizance of the publication, shall be filed in the office of the clerk of the city, and shall thereupon become public records, and shall be prima facie evidence in all courts and places of the matters stated therein.

Assessments
not paid within
six months,
lands to be
sold.

Form of notice
of sale.

Advertisement
to be pub-
lished.

List need not
state land-
owners.

Affidavits of
publication to
be filed.

Certificate of
of sale to be
given, and to
contain
covenant.

Deed given to
purchaser if
land is not
redeemed.

Purchaser
takes title in
fee.

Title not to
fail from
irregularity or
formal defect
in proceed-
ings.

Proviso.

5. *And be it enacted*, That the comptroller or other collecting officer shall, on the receipt of the purchase-money on any sale, or of bonds in lieu thereof, as provided by this act, execute and deliver to the purchaser a certificate of such sale, which shall contain a covenant on the part of the city to refund the amount paid for said lands in cash, where cash was received, and to return the bonds or obligations where bonds or obligations were received, without interest, in case the title conveyed by said sale shall prove invalid; upon surrender of the said certificate of sale and proof of service of the notice thereof, as hereinafter provided, upon the owners and mortgagees of the said lands and premises, the comptroller or other collecting officer shall, after the expiration of six months from the date of such service, execute and deliver to the purchaser at such sale, his heirs, devisees or assigns, a deed for said lands and premises, which shall be sealed and attested by the clerk of the city and proved in the usual manner; and such purchaser, his heirs, legal representatives or assigns, shall take a good and sufficient title to the property sold in fee-simple absolute, free of all incumbrances (except taxes, assessments and water-rates levied after the confirmation of the said report), of which the said deed shall be presumptive evidence in all courts and places, and in any proceedings or actions to be by such purchasers, his heirs, legal representatives or assigns, taken, prosecuted or defended for the recovery of the possession of the property so sold as aforesaid, or in the establishment or defense of his or their title, shown as aforesaid by such deed, the title shall not fail or be defeated by reason of any irregularity or formal defect in the procedure taken under this act, upon which the sale shall have been made or the title conveyed as aforesaid, or by reason of any illegality in fixing and adjusting the tax, assessment and lien, to enforce which said sale was made, or in the proceeding for collecting the same; *provided*, the property sold was liable, at the time such tax, assessment and lien was fixed and adjusted, to the imposition of a tax, assessment or lien in respect of the purposes for which such tax, assessment and lien was fixed and imposed, and it does not appear that any substantial injury was done to the owner of the property by reason

of the irregular or illegal manner or method of fixing, imposing or collecting said tax, assessment and lien; the city may be a purchaser at any sale of lands under the provisions of this act, with the same right, title and effect as any other purchaser, and the certificate of sale to the city shall be delivered to the mayor, who shall, in behalf of the city, cause notice of the sale to be served on the owners and mortgagees of the lands so purchased, as provided in this act; upon proof of service of the notice and expiration of the period for redemption, the city shall be entitled to a deed for the property, the same as any other purchaser; in all cases where any lands shall be bought by the city as aforesaid under this act, it shall be lawful for the common council or legislative body of the city, with the consent of the board or body having charge or control of its finances, to sell and assign the certificates of sale or to sell and convey such lands, or any part thereof, by a good and sufficient deed, to any person or persons, and accept either money or bonds or obligations of the city in payment therefor, on such terms as may be agreed upon, and with or without warranty; *provided*, that if sold at private sale the price for the land shall not be less than the amount due the city thereon when purchased. Proviso.

6. *And be it enacted*, That any person or persons having an estate in, or mortgage upon any lands and premises sold in pursuance of the fourth section of this act, whose estate or lien appears of record in the county, may at any time before the expiration of six months after notice shall have been given to him of such sale by the purchaser, his heirs or assigns, in the manner hereinafter provided, or before a deed of said premises shall have been delivered, as provided in this act, redeem said lands and premises by paying to the treasurer of the city, for the use of the purchaser, his heirs or assigns, the sum paid by him at such sale, with interest at the rate of ten per centum per annum from the date of the sale, and one dollar for each notice served as hereinafter provided; and upon such redemption the city shall pay to such purchaser, his heirs or assigns the amount received from the person redeeming; such notice shall be in writing and shall be served by the purchaser of the property or his agent on said owner or mortgagee, either personally or by leaving the same at Persons having estates or liens of record may redeem.
When redemption to be made.
Notice of purchase to be served.

Residence of
non-residents,
how ascer-
tained.

Affidavit as to
manner of
inquiry, and
publication to
be made and
filed.

Purchaser
entitled to
possession
upon giving
notice.

Proviso.

his place of abode with a member of his family above the age of fourteen years; in case such owner or mortgagee is a non-resident, or his residence cannot, upon due inquiry, be ascertained, then the notice may be served by publishing the same in a newspaper printed and circulating in the city for a period of six weeks, at least once in each week, and depositing a copy of such notice, within twenty days after its first publication, in the post office of the city, enclosed in a wrapper, post-paid, directed to such owner or mortgagee at his or her last known post office address, if the same can be ascertained; inquiry for the residence or post office address of such owner or mortgagee shall be made by the purchaser or his agent upon the lands purchased at the sale, if they are occupied, and wherever else in the city the same may be likely to be ascertained, and also by an examination of the record of the deed or mortgage on account of which such notice is given; an affidavit shall be made by the purchaser or his agent, setting forth the manner and particulars of the service, and in case the same is made by publication, setting forth what inquiry was made to ascertain the residence and post office address of such owner or mortgagee, and in such case an affidavit of the publication shall also be made by the person publishing such newspaper, or by some one in his employ having cognizance of the publication, stating the particulars thereof; and the affidavit or affidavits shall be filed in the office of the clerk of the city within one month after the date of service, and shall be prima facie evidence in all courts and places of the facts therein stated; the purchaser shall be entitled to the possession of said lands immediately upon giving such notice to the owner thereof, in case the same are unoccupied, or if they are occupied, then within thirty days thereafter; and he shall have the same remedy by writ of assistance or otherwise in the circuit court of the county in which the city is situate, or in the court of chancery, for the recovery of the possession of said lands as the purchaser of mortgaged premises at a foreclosure sale is now or may hereafter be entitled to by any law or practice of this state; *provided, however*, that if any estate in any of the said lands shall be held by any heir or devisee of a decedent whose estate appears of record in the county, or if any

mortgage or lease shall be held by the executor or administrator of any decedent whose mortgage or lease appears of record in the county, such heir, devisee, executor or administrator shall be entitled to redeem and to have notice as aforesaid before the purchaser shall be entitled to the possession of the lands; *and provided, also,* Proviso. that the records and schedules of all sales made under this act shall be filed and kept in the same offices of the several cities wherein records of tax sales are now by law required to be kept.

7. *And be it enacted,* That all bonds or obligations of the city shall be receivable at par and accrued interest in payment of the tax, assessment and lien imposed under this act, and the sum for which any lot or tract of land may be sold under this act; but no bonds or obligations shall be received for such part thereof as may be imposed in lieu of arrears of annual taxes or water-rates except bonds or obligations issued on account of taxes or water-rates; *provided,* that in all cases where the bid shall exceed the amount of the tax, assessment and lien, with interest, the excess shall be paid in cash. Bonds or obligations of the city received in payment of taxes, assessments, liens and bids. Proviso.

8. *And be it enacted,* That it shall not be necessary to set out the proceeding under this act at length in the deed for the lands sold, but a general statement therein that such deed was made and executed upon proceedings taken under the authority of this act shall be sufficient. Proceedings need not be stated at length in deed.

9. *And be it enacted,* That it shall not be necessary for the said commissioners to adjust the taxes, assessments or water-rates on all the land and real estate in the city for which they may be appointed, but such claims of the city as in the judgment of the commissioners can be collected in their present condition, may be left unchanged; and no assessment for a sewer improvement, made or levied under the provisions of an act entitled "An act to authorize cities to construct sewers and drains, and to provide for the payment of the cost thereof," approved March eighth, one thousand eight hundred and eighty-two, shall be reviewed by the said commissioners, except upon request of the council or legislative body of the city; it shall not be necessary to advertise and sell at the same time all the lands in the city subjected to the provisions All delinquent land need not be re-assessed. Sewer assessments under certain act to be relaid only on request of council. All re-assessed land need not be advertised or sold at same time.

of this act, but that any part of such lands may be advertised and sold at any time.

Certiorari not allowed unless bond given for payment of amount justly payable.

10. *And be it enacted*, That no writ of certiorari shall be allowed to contest or set aside any tax, assessment and lien fixed or determined by the said commissioners, or to set aside any proceeding under this act to collect the same, unless the party applying for such writ shall give a bond, with approved security, conditioned for the payment of so much of said tax, assessment and lien as shall be ascertained to be justly payable, with interest and costs, nor unless application therefor be made within six months from the confirmation of the said report.

Moneys received at sales deposited with city recorder.

11. *And be it enacted*, That all moneys received upon sales in pursuance of any of the provisions of this act, shall be deposited with the treasurer of the city, and the surplus, if any, remaining in any case, after deducting the amount of the tax, assessment and lien, and interest and expenses of sale and disbursements allowed by any judgment under which said sale shall have been made, shall be held for the use of and paid over to the person legally entitled thereto, upon his establishing his right to the same; *provided, however*, that interest thereon shall not be recoverable from the city; all bonds received at sales under this act shall be canceled after the delivery of the deed.

Surplus, to whom paid.

Proviso.

Assessments apportioned between subdivision of lots.

12. *And be it enacted*, That the commissioners of adjustment shall have the power, and it shall be their duty, upon the written application of any owner or person having an interest in or lien upon the whole or any part of any lot or parcel of land, as to which the said commissioners shall have fixed and certified the amount of tax, assessment and lien under the provisions of sections two and three of this act, and upon satisfactory proof of the ownership, interest or lien of said applicant, at any time before the payment of such amount, or before the sale on account of the same, as hereinbefore provided, to apportion equitably the said amount upon and between such subdivisions of said lot or parcel as in their judgment it shall be necessary and proper to make, and shall cause the assessment map to be altered so as to show such subdivision, and give a new number to each of the same, and shall thereupon certify and report to the comptroller,

Amounts fixed upon subdivisions stand in place of original amount.

or other collecting officer, the amount of said tax, assessment and lien fixed and apportioned by them upon and against the said several subdivisions, and thereupon the said several amounts shall stand in place of the amount originally fixed, certified and confirmed, and as of the date of such original report, certificate and confirmation, with the same force and effect, and be payable and collected in the same manner as if the said several amounts had been fixed, certified and confirmed in the first instance against such subdivisions.

13. *And be it enacted*, That taxes hereafter levied, where the rate does not exceed three per centum, and assessments hereafter levied and assessed on land and real estate in any city of this state, which shall remain unpaid for the space of three years from and after the time when due and payable, may, in the discretion and upon the direction of the board or body having charge or control of the finances of the city, be collected, and the land and real estate subject thereto sold by the comptroller or other collecting officer of the city in the same manner that the comptroller or other collecting officer is in this act authorized and empowered to collect the assessments, charges or liens fixed and determined by this act, and to sell the lands subject thereto; the deed given for the same shall be executed in the same manner and shall have the same effect as if made on proceedings to enforce the taxes, assessments and liens fixed and confirmed as in this act provided; but in such cases the deed shall not be given for the land until after the expiration of one year from the time of sale, during which time the owner or any party having any interest in or lien upon the said land may redeem the same in the manner and on the terms in this act provided.

Taxes not exceeding three per centum and assessments hereafter levied and unpaid for three years may be collected under this act.

Deed not to be given until one year after sale.

14. *And be it enacted*, That 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.

Passed March 30, 1886.

CHAPTER CXIII.

A Further Supplement to an act entitled "An act fixing the compensation of certain public officers of the state," approved March sixteenth, one thousand eight hundred and seventy-six.

Additional
clerical assist-
ance may be
employed and
compensation.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the state treasurer be and he is hereby authorized to employ additional clerical assistance in the discharge of the duties of his office, at an annual expense not exceeding the sum of ten hundred dollars, which may be paid out of any funds in the treasury not otherwise appropriated.

2. *And be it enacted*, That this act shall take effect immediately.

Passed March 30, 1886.

CHAPTER CXIV.

An Act fixing the compensation of commissioners constituting city boards having control and management of water works and the supply and distribution of water in cities of this state having over one hundred thousand inhabitants.

Annual com-
pensation of
commis-
sioners.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the commissioners constituting city boards having control and management of water works and the supply and distribution of water in any city of this state having over one hundred thousand

inhabitants, shall each receive and be paid, in lieu of compensation and repayment of all expenses he shall be entitled to receive as commissioner, under the provisions of any law incorporating such city board, an annual compensation of five hundred dollars, to be paid monthly out of any moneys received by said city board; *provided*, the provisions of this section shall not apply to the commissioners of any city board in any city of this state while the bonded indebtedness of such city exceeds fifteen per centum of its ratables liable to municipal taxation in such city, nor where in any city the said commissioners have charge of or control over any other department of the city government. Proviso.

2. *And be it enacted*, That all acts and parts of acts, public, general, special or local, inconsistent herewith, be and the same are hereby repealed, and this act shall take effect immediately. Repealer.

Passed March 30, 1886.

CHAPTER CXV.

A Supplement to an act entitled "An act to authorize the issuing of bonds for the purpose of building court houses, clerks' offices, surrogates' offices and registers of deeds' offices in counties of this state," approved March first, one thousand eight hundred and eighty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section one of "An act to authorize the issuing of bonds for the purpose of building court houses, clerks' offices, surrogates' offices and registers of deeds' offices in counties of this state," approved March first, one thousand eight hundred and eighty-six, shall be and the same is hereby amended to read as follows: Section amended.

Freeholders
authorized to
issue bonds to
build court-
house, &c.

Proviso.

[1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the board of chosen freeholders of any county in this state, by resolution approved by not less than three-fourths of all the members of such board, for the purpose of building court houses, clerks' offices, surrogates' offices and registers of deeds' offices in any such county, to issue bonds in the corporate name and under the corporate seal of the county, signed by the director and clerk of the board of chosen freeholders, and countersigned by the county collector of any such county, to an amount not to exceed one-half of one per centum of the assessed value of the taxable property of any such county, exclusive of the surplus revenue indebtedness of such county; *provided*, that nothing in this act shall authorize any county whose indebtedness, exclusive of the surplus revenue indebtedness of such county, exceeds, or would with such issue of bonds exceed, one-half of one per centum of the assessed value of its taxable property, to issue bonds or incur indebtedness for any of the purposes of this act; such bonds may be registered or coupon bonds, and shall bear a rate of interest not exceeding five per centum per annum, payable half-yearly, and shall be redeemable at any time not exceeding twenty years from their date, in the discretion of the board of chosen freeholders of any such county, which bonds may be sold, either at public or private sale, for the best price that can be obtained for the same, but shall not be sold for less than their par value; and all real estate and personal property within any such county shall be liable for the payment of the principal and interest that may become due on the bonds to be issued by virtue of this act.]

2. *And be it enacted*, That this act shall take effect immediately.

Passed March 30, 1886.

CHAPTER CXVI.

A Further Supplement to an act entitled "An act to regulate elections" [Revision], approved April eighteenth, one thousand eight hundred and seventy-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever it shall so happen in any city, township, borough or other municipality in this state, that the charter or municipal election of such city, township, borough or other municipality falls and shall be held upon the day now fixed for the holding of the general election for members of the general assembly, that in every such case the clerks of election and each member of the boards of election in such city, township, borough or other municipality, shall be entitled to demand and receive for their services the sum of three dollars per day and no more, for each day's service, one-half of which shall be paid by the city, township, borough or other municipality, wherein said election shall have taken place, and the other half to be paid by the collector of the county in which said election shall have taken place. Compensation of clerk and boards of election.

2. *And be it enacted*, That this act shall take effect immediately.

Approved March 30, 1886.

CHAPTER CXVII.

An Act to further provide for filling vacancies caused by death or resignation in the boards of trustees of incorporated hospitals.

Vacancies, by
whom filled.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That vacancies caused by death or resignation of members of the boards of trustees of any incorporated hospital in this state, whose boards are now authorized to fill such vacancies, may hereafter be filled by a vote of a majority of the members constituting a quorum of such boards for the transaction of other business.

Repealer.

2. *And be it enacted*, That so much of any act as is inconsistent with the provisions of this act be and the same is hereby repealed.

3. *And be it enacted*, That this act shall take effect immediately.

Approved March 30, 1886.

CHAPTER CXVIII.

An Act to amend an act entitled "A supplement to an act entitled 'An act relative to the Monmouth battle monument,'" approved March fourteenth, one thousand eight hundred and eighty-one, which supplement was approved March sixteenth, one thousand eight hundred and eighty-five.

Section
amended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section four of an act entitled "A supplement to an act entitled 'An act relative to the

Monmouth battle monument,'” approved March fourteenth, one thousand eight hundred and eighty-one, be and the same is hereby amended to read as follows:

[4. *And be it enacted*, That said commission shall report annually in detail the items of cost of keeping said grounds in order and caring for the monument to the governor of the state for the time being for his approval, and if approved by him, the same shall be paid out of any moneys in the treasury of the state, upon warrant of the comptroller, upon vouchers certified by the president of the commission, and such annual report shall be laid annually before the legislature; *provided*, that such annual cost shall not exceed the sum of five hundred dollars.]

Commission to make annual report of cost of keeping grounds.

How paid.

Proviso.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 5, 1886.

CHAPTER CXIX.

An Act to amend an act entitled “An act to establish a system of public instruction” [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section sixty-nine of an act entitled “An act to establish a system of public instruction” [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four, be and the same is hereby amended to read as follows:

Section amended.

[69. *And be it enacted*, That the fund above mentioned, together with all the moneys which shall be received by the treasurer in payment of the principal or interest of the bank or turnpike stock belonging to the fund for the support of free schools, all the taxes which may hereafter be received into the treasury from any of the banking and insurance companies in this state, the capital stock

School fund to be invested by state treasurer, under direction of trustees.

of which now is, or may hereafter be liable by law to be taxed, all appropriations to said funds made or to be made by any law of this state, and the amount of all gifts, grants, bequests or devises hereafter made by any person or persons to the said trustees, for the purpose contemplated by this act, shall be invested by the treasurer of this state, under the direction of said trustees or a majority of them, in the bonds of the United States, or of New Jersey, or in the bonds of any county, city, town or township of this state, in any case where the total indebtedness of such county, city, town or township does not exceed in the aggregate fifteen per centum of the total assessable valuation of all taxable property within such county, city, town or township, the interest thereof to be applied to the support of the public schools in the mode which now is, or may hereafter be directed by law, and to no other use or purpose whatsoever; an account of the management of the said fund shall be laid before the legislature with the annual statement of the treasurer's account; and no compensation shall be paid to said trustee or treasurer for any service performed in pursuance of the direction of this act; and all investments of money and property belonging to said fund now held or existing in the name of "The Trustees for the Support of Free Schools," are hereby and shall hereafter be vested in and held, and any proceedings or action whatever relative thereto may be taken, had, made and maintained by said trustees, in the name of the trustees for the support of public schools.]

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 5, 1886.

CHAPTER CXX.

An Act to authorize a subscription on the part of this state to a supplement to the "Revision of the Statutes of New Jersey," published in the year one thousand eight hundred and seventy seven.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the state treasurer be and he is hereby authorized and directed to subscribe for one thousand copies of a supplement to the "Revision of the Statutes of New Jersey," published in the year eighteen hundred and seventy-seven, to be edited by Garrett D. W. Vroom and William M. Lanning, and which shall contain all the public acts of the legislature of this state now contained in "Appendix A," and in the "Addenda" of said revision, and all the public acts of said legislature which are general and permanent in their nature passed between the time of publishing said revision and the close of the present session; together with abstracts from the public decisions of the courts of this state expounding or construing the same, and which shall correspond in arrangement of statutes and mechanical execution to said revision, published in eighteen hundred and seventy-seven.

State treasurer
authorized to
subscribe for
copies of sup-
plement to
revision of
statutes.

2. *And be it enacted*, That upon delivery to the said treasurer of one thousand copies of said work, well bound in good law-sheep, the comptroller shall be authorized to draw his warrant upon the state treasurer in favor of the publisher thereof for the sum of seven dollars for each copy.

Cost for copy,
and how paid.

3. *And be it enacted*, That the said treasurer deliver to the governor, the secretary of state, the comptroller, the treasurer, the clerks of the supreme court and chancery, the chancellor and justices of the supreme court, the attorney-general, the clerk, surrogate and board of chosen freeholders of the several counties, the judges of the courts

Treasurer to
deliver copies
to certain
officers.

of common pleas, the clerks of the respective counties, and to the members and clerks of the present legislature each one copy of said supplement.

What title-page
may set forth.

4. *And be it enacted*, That it may be set forth on the title page of said supplement to the revision that the statute laws of the state are published therein under the authority of the legislature.

5. *And be it enacted*, That this act shall take effect immediately.

Approved April 5, 1886.

CHAPTER CXXI.

A Further Supplement to the act entitled "An act for the organization of the national guard of the state of New Jersey," approved March ninth, one thousand eight hundred and sixty nine, and the various amendments thereto.

Artillery com-
pany may be
organized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in all sea coast cities of this state, and in which cities there are no regularly enrolled company of the national guard, there may be organized a company of artillery of not less than fifty enlisted men, nor more than one hundred and fifty officers and enlisted men to each company, which company shall be entitled to all the rights, privileges, benefits and allowances of like military organizations in the service of the national guard, and be required to perform the like duties and services, and subject to the penalties provided by law for the discipline and efficiency of other state troops, as well as for the special service for which these companies may be organized, excepting as hereinafter provided.

Company to be
provided with
state uniform.

2. *And be it enacted*, That any such company of artillery shall be furnished with the regulation state uniform upon the terms set forth in the seventeenth section of the

supplement to the act to which this is a supplement, approved March fourteenth, one thousand eight hundred and seventy-nine, as amended March tenth, one thousand eight hundred and eighty.

3. *And be it enacted*, That all acts and parts of acts ^{Repealer.} inconsistent or conflicting with the provisions of this act, in so far as so inconsistent, be and the same are hereby repealed, and that this act shall take effect immediately.

Approved April 5, 1886.

CHAPTER CXXIII.

An Act to regulate the practice of pharmacy in the state of New Jersey.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That from and after the passage of this act, it shall not be lawful for any person not a registered pharmacist, within the meaning of this act, to conduct any store or pharmacy for retailing, dispensing or compounding drugs, medicines or poisons, or for any one not a registered pharmacist to prepare and dispense physicians' prescriptions, or to retail or dispense medicines or poisons, except under the immediate supervision of a registered pharmacist. ^{When unlawful for any person to practice pharmacy.}

2. *And be it enacted*, That on or before the first day of June next, the New Jersey Pharmaceutical Association shall submit to the governor the names of fifteen pharmacists doing business within this state, from which number the governor shall appoint five persons, who shall constitute the board of pharmacy of the state of New Jersey, and who shall hold office for the terms of one, two, three, four and five years, as designated in their respective appointments, and until their successors shall have been appointed and qualified; the New Jersey Pharmaceutical Association shall annually thereafter nominate to the governor five pharmacists, of whom the gov- ^{New Jersey association to submit names to the governor. Governor to appoint board of pharmacy, and term of office.}

Vacancies,
how filled.

ernor shall appoint one to fill the vacancy annually occurring in the said board, who shall hold office for five years and until his successor shall have been appointed and qualified; any vacancy occurring in said board shall be filled by the governor for the unexpired term from among the persons last nominated to him; each person so appointed shall, within thirty days after appointment, take and subscribe an oath, before any officer authorized to administer oaths in the state, that he will faithfully and impartially discharge the duties prescribed by this act.

Organization
and meetings
of board of
pharmacy.

3. *And be it enacted*, That the board of pharmacy shall organize by electing a president, a secretary and a treasurer, and shall have power to make by-laws and rules for the proper fulfillment of its duties under this act; it shall meet at least once in three months alternately in the cities of Paterson, Newark, Trenton and Camden, and shall give thirty days' notice of the time and place of such meetings; it shall examine into all applications for registration, and grant certificates of registration to pharmacists having diplomas from colleges of pharmacy, or regularly chartered medical colleges, granted on four years' practical experience, and to such other persons as it shall judge, on examination, to be properly qualified to practice pharmacy; it shall keep a book of registration, in which shall be entered the names and places of business of all persons registered under this act, and shall also keep a book of record of all its official transactions, which books shall be legal evidence of such transactions in any court of law; it shall have power to examine into all cases of alleged abuse, fraud and incompetence, cause the prosecution of all persons not complying with the provisions of this act, and suspend or revoke the registration of any person legally convicted of violating the same;

Duties of the
board.

Annual report
to be made.

it shall report annually to the governor and to the president of the New Jersey Pharmaceutical Association upon the condition of pharmacy in the state, which report shall embrace a detailed statement of the receipts and expenditures of the board; the members of said board shall receive the sum of five dollars for each day actually engaged in this service, to be paid from the fees and penalties collected under the provisions of this act, and all moneys thus collected by said board in excess of said

per diem allowance and of the necessary expense of said board, shall be paid to the treasurer of the New Jersey Pharmaceutical Association at its annual meeting; three members of the board shall constitute a quorum.

4. *And be it enacted*, That every person applying for registration under this act shall furnish satisfactory evidence that he has had at least four years' experience in the practice of pharmacy, and pay to the treasurer of the board of pharmacy a fee of five dollars, and, upon passing an examination satisfactory to said board, he shall receive from said board a certificate of registration; in case of failure to pass a satisfactory examination, the applicant shall be granted a second examination (without the payment of another fee) at any time within six months from his first examination; the registration fee to pharmacists having the diplomas mentioned in section three shall be two dollars; every pharmacist owning or conducting a pharmacy or store shall conspicuously display his certificate of registration in said pharmacy or store, and any failure to do so shall be held to be prima facie evidence that such person is not a registered pharmacist.

Upon examinations, persons to receive a certificate of registration.

Registration fee.

Certificate to be conspicuously displayed.

5. *And be it enacted*, That any person who shall procure or attempt to procure registration for himself or any other person under this act, by making or causing to be made any false representations, or fraudulently represent himself to be registered, or shall adulterate or sell any adulterated drug, medicine or chemical, or who shall otherwise violate the provisions of this act (except section six), shall be deemed guilty of a misdemeanor, and, upon conviction thereof, be liable to a penalty of not less than fifty or more than one hundred dollars, and for any subsequent offense or offenses, a like fine or imprisonment, not to exceed six months, or both, at the discretion of the court.

Penalty for false or fraudulent representation, and selling adulterated drugs, &c.

6. *And be it enacted*, That it shall not be lawful for any person to retail or dispense any of the poisons enumerated in schedule A appended to this section, or any other substance commonly recognized as a deadly poison, without distinctly labeling with a red label the bottle, box, vessel or wrapper in which such poison is contained, with the name of the article, the word "poison" and the name and place of business of the dispenser, nor without being

Unlawful to sell "poison" without labeling with "red label."

Penalty for
violation, &c.

satisfied that the purchaser is aware of its poisonous nature and intends to use it for a legitimate purpose; any person failing to comply with the requirements of this section shall be deemed guilty of a misdemeanor, and for every such omission shall be liable to a fine of not less than ten dollars; and any person who shall give a fictitious name, or who shall make any false representation to the seller when buying any of the poisons thus enumerated, shall be deemed guilty of a misdemeanor and be liable to a fine of not less than ten dollars; the penal provisions of this act shall not apply to the sale of such poisons as are used in the arts, agriculture, or in manufacturing, to persons known to be engaged in such pursuits, nor to the dispensing of poisons upon the prescription of a practicing physician.

SCHEDULE A.

Schedule of
poisons
enumerated.

Arsenic and its compounds or chemical derivatives; corrosive sublimate and other poisonous derivatives of mercury; phosphorus and its poisonous derivatives; prussic acid and its poisonous derivatives; tartrate of antimony; essential oil of bitter almonds; oils of tansy, savin or croton; chloroform, chloral-hydrate, aconite, belladonna, conium, cantharides, digitalis, hyoscyamus, nux vomica, Indian hemp, veratrum viride, yellow jessamine, opium, their alkaloids or other preparations (except paregoric and other preparations of opium having less than two grains to the ounce); ergot, savin, cotton root and their preparations.

Act, how construed.

7. *And be it enacted*, That nothing in this act shall be construed to apply to or in any manner interfere with the strictly professional pursuits of any physician, nor with the making or vending of patent or proprietary medicines, nor with the sale of simple domestic remedies by retail dealers in rural districts one-half mile or more remote from a regular pharmacist, nor with the ownership of any pharmacy or store in part or whole by any person not a registered pharmacist; *provided*, such pharmacy or store be at all times in charge of a registered pharmacist, and any person holding a certificate of registration granted

Proviso.

under any former act shall be considered a registered pharmacist within the meaning of this act.

8. *And be it enacted*, That each and every fine imposed under this act shall be paid to the treasurer of the board of pharmacy. Fine imposed, to whom paid.

9. *And be it enacted*, That this act shall be a public act and shall take effect immediately; *provided*, that the organization of the board, as prescribed in section three hereof, may be had and effected at any time within thirty days from the date of the appointment of its members by the governor. Act, when to take effect. Proviso.

10. *And be it enacted*, That all acts and parts of acts conflicting with this act are hereby repealed. Repealer.

Approved April 5, 1886.

CHAPTER CXXIV.

A Supplement to an act entitled "An act concerning idiots and lunatics" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. BE IT ENACTED, *by the Senate and General Assembly of the State of New Jersey*, That from and after the passage of this act it shall and may be lawful for counsel on each side to address the commissioners and jurors upon the inquisition. Counsel may address commissioners and jurors.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 5, 1886.

CHAPTER CXXV.

Supplement to an act entitled "An act respecting the court of chancery" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-five.

Court may
order sale.

Proceeds of
sale paid into
court.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the court of chancery shall have power in any suit for the foreclosure or satisfaction of any mortgage covering real or personal property, or both, upon the petition of any party to such suit, where the property mortgaged is of such character or so situated as to make it liable to deteriorate in value pending said suit, or to make its care or preservation difficult or expensive, to order a sale to be made thereof at public or private sale, through a receiver, sheriff, master, or otherwise, as the said court may direct, and the proceeds of any such sale to be brought into court, there to remain subject to the same liens and equities of all parties in interest as was the mortgaged property, and to be disposed of as the said court by its decree or order shall direct.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 5, 1886.

CHAPTER CXXVI.

An Act to authorize savings banks or savings institutions of this state to invest moneys deposited with them in the bonds of certain cities and counties in any state of the United States of America.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for any savings bank or savings institution, incorporated under any law of this state, to invest moneys deposited with it in the bonds of any city or county of any state of the United States of America, which have been or may be issued pursuant to the authority of any law of any such state; *provided*, no such city or county has, within ten years previous to making such investment by any such savings bank or savings institution of this state, defaulted in the payment of any part of either principal or interest of any debt authorized by law of such state to be contracted; *and provided, further*, that the total indebtedness of any such city or county is limited by law to ten per centum of its assessed valuation.

Savings banks authorized to invest moneys deposited in bonds of certain cities and counties.

Proviso.

Proviso.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 5, 1886.

CHAPTER CXXVII.

An Act to authorize the sale of church property and vesting a valid title thereto in the purchaser free from uses for church purposes.

Religious
societies
authorized to
sell and convey
property.

Proviso.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any incorporated religious society, by its trustees, consistory, or other board or persons managing the temporalities of such religious society, be and they are hereby authorized to sell and convey, in fee-simple or otherwise, any lands, premises and real estate owned by them, together with the appurtenances, and to execute and deliver good and sufficient deeds of conveyance therefor, or for any part thereof, to the purchaser or purchasers of the same, and that every such deed or deeds of conveyance shall be good and effectual in law; and the grantee shall take title thereto freed and discharged from any trust or condition requiring or directing said property to be used for church purposes; *provided*, the said sale shall have been duly authorized by a majority vote of all the members of said religious society.

2. *And be it enacted*, That this act shall be deemed to be a public act and shall take effect immediately.

Approved April 5, 1886.

CHAPTER CXXVIII.

A Supplement to an act entitled "An act to incorporate benevolent and charitable associations," approved March ninth, one thousand eight hundred and fifty-three.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That wherever a certificate of incorporation has been heretofore made and executed and filed and recorded in pursuance of the provisions of an act entitled "An act to incorporate benevolent and charitable associations," approved on the twelfth day of March, in the year one thousand eight hundred and forty-four, but such action has been taken subsequently to the passage of the act entitled "An act to incorporate benevolent and charitable associations," approved March ninth, one thousand eight hundred and fifty-three, which latter act repealed the provisions of the former act, that any association that has heretofore attempted to incorporate under said act of March twelfth, one thousand eight hundred and forty-four, after the passage of the act of March ninth, one thousand eight hundred and fifty-three, shall be a body politic and corporate in law, by whatever name they have assumed under the certificate filed under said act of March twelfth, one thousand eight hundred and forty-four, and by such name shall have succession and continuance, and be capable in law of suing and being sued, and defending and being defended in all courts and places whatever, and having all the corporate powers, the same as if duly incorporated under said act of March ninth, one thousand eight hundred and fifty-three; and the acts of such association are hereby in all things ratified, confirmed and validated, and shall have the same force and effect as if said association had been duly incorporated under and in compliance with the provisions of the act of

Associations
formed under
a certain act
held valid.

Acts confirmed
and validated.

March ninth, one thousand eight hundred and fifty-three, and the supplements thereto.

Title to lands
held valid.

2. *And be it enacted*, That the title to any lands and property held and possessed by any such association shall vest in said association as fully and completely as if the same had been incorporated under the provisions of said act of March ninth, one thousand eight hundred and fifty-three, and the property had been acquired thereunder.

3. *And be it enacted*, That this act shall take effect immediately.

Approved April 5, 1886.

CHAPTER CXXIX.

A Further Supplement to an act entitled "An act to authorize the formation of railroad corporations and regulate the same," approved April second, one thousand eight hundred and seventy-three.

Corporations
restrained
from exercis-
ing privileges,
&c., the time
not to be com-
puted as por-
tion of time
limited for the
discharge of
any duty or
exercise of
privileges.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That whenever any company incorporated under this act, or otherwise, shall have a duty imposed upon it or a privilege which it is authorized to exercise, and there is a time limited wherein such duty is to be discharged or such privilege exercised, and the company is restrained by the authority or intervention of any court from the discharge of the duty aforesaid, or from the exercise of the privilege aforesaid, then so much of the time aforesaid during which such restraint exists shall not be computed as any portion of the time limited for the discharge of such duty or exercise of such privilege aforesaid.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 5, 1886.

CHAPTER CXXX.

An Act concerning warehouse-keepers.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the proprietor or proprietors of any warehouse for the storage of goods and chattels shall have a first lien on all goods or chattels left with them on storage for the amount of the bill due the proprietor of any such storage warehouse for such storage, or for any charges for carting or insurance contracted by the owner to be paid to him therefor, and shall have the right, without the process of law, to retain the same until the amount of such indebtedness is discharged.
2. *And be it enacted*, That all property held on storage, for which the bill for storage or such other charges has not been paid for one year, may, in whole or in part, be exposed by said proprietor for sale at public auction, upon a notice of said sale being first published for the space of two weeks in some newspaper circulating in the city or township in which such goods are stored, and also after five days' notice of said sale, set up in five of the most public places in said city or township, and after mailing, if their addresses can be ascertained, to the owners of said goods, or to any one known by said proprietor to claim or to appear to have any mortgage or lien on or bill of sale for such goods, notice of such sale two weeks before the day of sale; and the proceeds of said sale shall be applied to the payment of such lien and the expenses of such sale; and no more of such goods shall be sold, if they are of such a nature as to be easily separated or divided, than shall be necessary, as near as may be, to pay such lien and expenses, and the balance, if any, shall be paid over to the owner of such goods when the goods shall be taken away or settled for in full.
3. *And be it enacted*, That this act shall take effect immediately.

Approved April 5, 1886.

Storage, carting, &c., to be a first lien on goods and chattels left for storage.

Property to be sold at public auction if charges are not paid in one year.

Notice of sale to be published, &c.

Proceeds, how applied.

CHAPTER CXXXI.

An Act for the relief of incorporated fire departments in this state.

Amount limited to be raised for fire department purposes may be increased to a certain amount.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever any incorporated fire department of this state is limited to raising in any one year for the purposes of the department any definite sum, such sum may be increased by the governing body of such department, whenever in their judgment the public necessities shall require such increase, to a sum not exceeding the rate of twenty-five (25) cents of each and every one hundred dollars of the value of the real and personal property in the place where such department shall exercise its power, such valuation to be determined as the same appears on the assessor's books of such place for the last preceding year, and such increased sum shall be assessed and collected in the same manner as the original and limited amount.

Repealer.

2. *And be it enacted*, That all acts and parts of acts, general and special, inconsistent with this act, be and the same are hereby repealed.

3. *And be it enacted*, That this act shall take effect immediately.

Approved April 5, 1886.

CHAPTER CXXXII.

An Act to amend section one of the act entitled "An act for the formation of borough governments in seaside resorts," approved March twenty-ninth, one thousand eight hundred and seventy-eight.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section one of the act entitled "An act for the formation of borough governments in seaside resorts, approved March twenty-ninth, one thousand eight hundred and seventy-eight, shall hereafter read as follows :

[1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of any township or part of a township, which is a seaside resort for summer visitors, embracing within an area not to exceed two square miles taxable property of the amount of sixty thousand dollars or more, may become a body corporate and politic in fact and in law under the title of "The Borough of _____," whenever at a general or special election called for that purpose it may be so decided by a majority of the votes of the electors of such township or part of a township; the electors shall be such persons as are qualified to vote at any election for state and county officers.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 5, 1886.

CHAPTER CXXXIII.

An Act to authorize commissioners of the sinking fund in cities of this state to transfer funds held by them in certain cases.

Com-
mis-
sioners of
sinking funds
in cities
authorized to
transfer funds
in certain
cases.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That where, in any of the cities of this state, moneys have been raised by taxation and turned over to the commissioners of the sinking fund therein for the payment of bonds or obligations which were not issued, and there is no indebtedness of the city to the payment of which the funds so held are specially pledged or set apart, that it shall and may be lawful for such commissioners, at the request of the common council or other governing body of such city, to transfer the moneys so held by them to any other fund held by them for the payment of the indebtedness of such city, and that to the extent to which the fund to which the transfer is so made is augmented thereby it shall not be necessary for the city to provide by further taxation.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 5, 1886.

CHAPTER CXXXIV.

An Act providing for the support of the state industrial school for girls.

Annual appro-
priation.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That for the support and maintenance of the state industrial school for girls, and for

necessary repairs, the sum of five thousand dollars be and is hereby appropriated, and the state treasurer is directed to pay the same on the warrant of the comptroller.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 5, 1886.

CHAPTER CXXXV.

An Act to provide for the incorporation of street railway companies and to regulate the same.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That seven or more persons may ^{Seven or more persons may form corporation.} associate themselves together by articles in writing for the purpose of forming a corporation to construct, maintain and operate a street railway for the transportation of passengers.

2. *And be it enacted*, That the articles of association shall state the name of the company, the number of years ^{Articles of association, and what it shall set forth.} the same is to continue, the points to and from which the road is to be constructed, the length of such road as near as may be, the name of each municipality, township and county in this state through, in or into which it is intended to be made, the amount of the capital stock of the company, which shall not be less than ten thousand dollars ^{Amount of capital stock} for every mile of road intended to be constructed, and a proportionate sum as near as may be for fractions of a mile, and the number of shares of which said capital stock shall consist, and the names and residences of at least seven directors, who shall serve for one year and until their successors shall have been chosen, and a majority of whom shall be inhabitants of the municipalities through which said road is intended to be constructed and operated; each subscriber to such articles of incorporation shall subscribe thereto his place of residence and the number of shares of stock which he agrees to take in

Articles to be
filed and
recorded.

said company; on compliance with the requirements of the third section of this act such articles of association may be tendered to the secretary of state to be filed in his office, and it shall be his duty to indorse thereon the day and year they were filed and record the same in a book to be provided by him for that purpose; upon so tendering the said articles of association, after the doing of the things required by the third section of this act, the persons who shall have so subscribed such articles of association, and all persons who shall thereafter become stockholders in such company, shall be and remain a corporation by the name specified in such articles of association.

Articles not to
be filed or
recorded until
\$2,000 of stock
for every mile
is paid in and
deposited with
the state
treasurer, &c.

3. *And be it enacted*, That such articles of association shall not be tendered to the secretary of state, nor filed and recorded in his office, until at least two thousand dollars of stock for every mile of railroad and a proportionate sum for every fraction of a mile thereof proposed to be constructed shall have been subscribed and paid for in good faith and in cash to the directors named in said articles of association, nor until the said directors shall have deposited the said moneys so subscribed and paid to them with the treasurer of the state of New Jersey, who shall hold the same subject to be repaid to the directors or treasurer of the said company in sums of two thousand dollars for each mile of said road upon the construction of which it shall be proved to his satisfaction that the said company have expended the sum of two thousand dollars, nor until there is indorsed on such articles of association, or annexed thereto, an affidavit made by at least five of the directors named in said articles that the amount of stock required by this section has been in good faith subscribed and paid in cash as aforesaid, whether the same be full payment on said stock, or installments thereon only, and that it is intended in good faith to construct, maintain and operate the road mentioned in such articles of association or as its route may be designated by the authorities of the municipalities and townships in or through which it is intended to operate the road, and such affidavit shall be recorded with the articles of association as aforesaid.

Copy of arti-
cles to be
evidence of
incorporation.

4. *And be it enacted*, That a copy of the articles of association filed and recorded in pursuance of this act, or of

the record thereof, with a copy of the affidavit aforesaid indorsed thereon or annexed thereto, and certified to be a copy by the secretary of state, shall be presumptive evidence of the incorporation of the company named therein and of the facts therein stated.

5. *And be it enacted*, That every railway company incorporated under this act shall be deemed to have power:

I. To have succession by its corporate name for the period limited in its charter or certificate of incorporation;

II. To sue and be sued, complain and defend in any court of law or equity;

III. To make and use a common seal and alter the same at pleasure;

IV. To hold, purchase, receive and convey such real and personal property as the purposes of the corporation shall require;

V. To appoint such subordinate officers and agents as the business of the corporation shall desire, and to allow them a suitable compensation;

VI. To make by-laws not inconsistent with the constitution or laws of the United States or this state, fixing and altering the number of its directors for the management of its property, the regulation and government of its affairs, with penalties for the breach thereof not exceeding twenty dollars;

VII. To wind up and dissolve itself upon the payment and settlement of all its lawful liabilities and debts and the performance of its duties, upon filing a certificate to that effect in the office of the secretary of state, signed and sworn to by the president and directors of the company;

VIII. To have all other powers necessary to the performance of its duties under this act.

6. *And be it enacted*, That at all meetings of any company incorporated under this act absent stockholders may vote by proxy, authorized in writing; and every company may determine by its by-laws the manner of calling and conducting all meetings, what number of shares shall entitle the stockholders to one or more votes, what number of stockholders shall attend either in person or by proxy, or what number of shares or amount of interest

shall be represented at any meeting in order to constitute a quorum; and if the quorum shall not be so determined by the company, a majority of the stockholders in interest, represented either in person or by proxy, shall constitute a quorum.

Number of
directors and
term of office.

7. *And be it enacted*, That the directors shall be the governing board of any such company, and shall consist of not less than seven in number, and they shall be chosen annually by the stockholders at such time and place as shall be provided by the by-laws of the company, and shall hold their office for one year and until others are chosen and qualified in their stead; and one of the directors shall be chosen president, either by the directors or by the stockholders, as they shall be directed by the by-laws.

President, how
elected.

Upon petition
for location of
track, &c.,
common council
to publish
notices, &c.

8. *And be it enacted*, That the board of aldermen, common council or township committee of any municipality or township, upon the petition of the directors of any company incorporated under this act, or a majority thereof, for a location of the tracks of its railway therein conformably to the route designated in their articles of incorporation, shall give notice to all parties interested by publication in one or more newspapers published and circulated in said municipality, or, if none be published there, then by posting in five of the most public places in such municipality or township, at least fourteen days before their meeting, of the time and place at which they will consider such application for location; and, after hearing, they shall pass an ordinance refusing such location or granting the same or any portion thereof, under such lawful restrictions as they deem the interest of the public may require; and the location thus granted shall be deemed and taken to be the true location of the tracks of the railway if an acceptance thereof in writing by said directors shall be filed with the secretary of state within thirty days after receiving notice thereof, and a copy thereof delivered to the clerk or other equivalent officer of the municipality or township; *provided*, that no street railway shall be constructed in any street or highway where a street railway may be then constructed and operated within one thousand feet of said railway, nor parallel thereto within two blocks thereof without the

Authorized to
pass ordi-
nances refus-
ing or granting
authority.

Location
granted to be
filed in office of
secretary of
state.

Proviso.

written consent of the company then operating said railway, except to cross the same; and that nothing herein contained shall be deemed to authorize the construction of any street railway upon any road lawfully built or controlled by any turnpike, plank road or toll road company without the written consent of such turnpike, plank road or toll road company; *and provided, further*, that such ordinance shall not be passed or adopted until the company applying for a location of route shall file with the clerk of the board of aldermen or other body to which application is made the written consent of the owners of at least one-half of the property fronting on such portion of the street or highway through which such railway is to be made, which written consent shall be acknowledged by the subscribers thereto as are deeds entitled to be recorded; if the route thus accepted shall be shorter than the route designated in the certificate of incorporation a proportionate part of the moneys paid to the state treasurer upon filing the certificate of incorporation shall be forthwith refunded by the treasurer to the said company; *provided, however*, that none of such moneys shall be refunded as aforesaid for any difference in length of the route less than half a mile. Proviso.

9. *And be it enacted*, That no street railway company incorporated under this act shall begin to build its road until it has filed in the office of the secretary of state a certificate signed and sworn to by its president, treasurer and secretary and a majority of its directors, stating that the full amount of capital stock has been unconditionally subscribed by responsible parties, and that fifty per centum of the par value of each share thereof has been actually paid in cash. No company to begin to build road until certificate as to capital stock has been filed in office of secretary of state.

10. *And be it enacted*, That if any street railway company incorporated under this act shall not build and put in operation at least one-half of its road within one year after the date of the ordinance establishing its route by the local authorities, its corporate powers shall thereupon cease, and any moneys paid by it to the state treasurer as a guaranty of good faith, under section three of this act, shall be forfeited to the use of the state, excepting such part thereof as may have been refunded by the treasurer for portions of the road built. Failure of company to build and operate one-half of road within one year, corporate powers to cease and moneys paid forfeited.

Common council, &c., may authorize companies to extend location of tracks, &c.

Acceptance of location and certificate to be filed by company, and amount to be paid to the state treasurer.

Failure of company to acquire right to construct or locate track described in articles of association may file amended certificate describing a new route.

11. *And be it enacted*, That the board of aldermen, common council or township committee of any municipality or township in which any company incorporated under this act may build or operate its road, may, from time to time, under such restrictions as they deem the interest of the public may require, and under the restrictions contained in the eighth section of this act, upon petition, authorize a street railway company whose charter has been duly accepted and whose tracks have been located and constructed, or its lessees and assigns, to extend the location of its tracks within their municipality or township; and such extended location shall be deemed to be the true location of the tracks of the company, if the acceptance thereof in writing is filed in the office of the secretary of state within thirty days after the date of such ordinance; and the said company shall, at the time of filing such acceptance, file therewith a certificate of the length of such extension, sworn to by the president, treasurer and secretary and a majority of the directors of said company, and shall, at the same time, pay to the state treasurer the sum of two thousand dollars for each mile of the said extension, and a proportionate sum for any fractions over or under a mile; such moneys shall be refunded to the company or forfeited to the use of the state at the times and in the manner provided in the third and tenth sections of this act; and the building of such extension shall not be commenced until the foregoing requirements shall have been complied with.

12. *And be it enacted*, That if any street railway company incorporated under this act shall fail to acquire from the board of aldermen, common council or township committee of any municipality or township within the bounds of which it shall seek the right to construct its road, the right to locate its track or any satisfactory operative portion thereof, as the same shall be described in the certificate of incorporation, it may file an amended certificate of incorporation with the secretary of state, describing a new route, on paying to the state treasurer moneys at the rate of two thousand dollars per mile for any excess of length in the new route over the old one, such moneys to be held and disposed of by the state treasurer in the manner and at the times prescribed by the third and tenth sections of

this act; and if the new route shall be shorter than the old, the state treasurer shall forthwith refund to the said company or its treasurer a proportionate amount of the money so held by him for the said difference in length; *provided*, such difference shall exceed one-half mile; or *Proviso.* the said company may certify to the state treasurer in writing, under the oaths of its president, secretary, treasurer and a majority of the board of directors, the failure of the municipal or township authorities to grant such operative route, and thereupon the state treasurer shall refund to said company the moneys deposited by it with him as aforesaid, and the charter of said company shall thereupon become null and void.

13. *And be it enacted*, That the directors of any street railway company incorporated hereunder may, from time to time, assess such sums of money, not in excess of their par value, on all the shares of stock subscribed, but not paid up, as they shall think proper, and may direct the same to be paid to the treasurer, who shall give written notice thereof to the subscriber; if the subscriber neglects to pay his assessment for thirty days after such notice, the directors may transfer the rights under such subscription to any person who subscribes for the same and pays the assessment due, or may order the treasurer, upon giving notice of the same, to sell such shares by public auction to the highest bidder; if the shares of the subscriber do not sell for a sum sufficient to pay his assessments, with interest and charges of sale, he shall be liable to the corporation for the deficiency; if such shares sell for more, he shall be entitled to the surplus remaining.

14. *And be it enacted*, That no certificate of stock in any street railway company formed under this act shall be issued until the par value thereof is actually paid in cash; the shares are to be transferred by a conveyance in writing, recorded by the secretary or treasurer in books kept in his office; on making the transfer and surrendering the old certificate, a new one shall be granted.

15. *And be it enacted*, That the directors of every street railway company formed under this act shall be jointly and severally liable, to the extent of its capital stock, for all its debts and contracts until the whole amount of its capital

Directors authorized to assess subscribers to capital stock not to exceed value of stock.

Failure to pay assessment, shares may be transferred or sold.

Certificates of stock not to be issued until par value is paid in cash.

Shares, how transferred.

Directors liable for all debts and contracts until whole amount of capital

stock is paid
in and certifi-
cate thereof
filed.

stock, as originally fixed by the articles of incorporation, shall be paid in, and a certificate stating the amount thereof so fixed and paid in shall be signed and sworn to by its president, secretary, treasurer and a majority of its directors, and filed in the office of the secretary of state.

Capital stock
insufficient for
constructing
and operating
road may be
increased.

16. *And be it enacted*, That in case the capital stock of any company formed under this act shall be found to be insufficient for constructing and operating this road, such company may, with the concurrence of two-thirds in amount of holdings of all its stockholders, increase its capital stock from time to time to any amount required for the purpose of constructing, maintaining and operating its railroad and extensions; such increase may be sanctioned by a vote in person or by proxy of two-thirds in amount of all the stockholders of the company at a meeting of such stockholders called by the directors of the company for that purpose by a notice in writing to each stockholder, to be served on him personally, or by depositing the same properly folded and directed to him at the post office nearest his usual place of residence, in the post office, at least twenty days prior to such meeting; such notice must state the time and place of the meeting and its object, and the amount to which it is proposed to increase the capital stock; the proceedings of such meeting must be entered on the minutes of the proceedings of the company, and thereupon the capital stock of the company may be increased to the amount sanctioned by a vote of two-thirds in amount of all the stockholders in the company.

Companies
authorized to
borrow money
and issue bond
or bonds
secured by
mortgage, &c.

17. *And be it enacted*, That any company incorporated under this act shall have power to borrow such sums or sum of money from time to time, not to exceed in the whole its capital stock, as shall be necessary to build, construct or repair its road and branches, and furnish all necessary property and equipments for the use and objects of said company, and to secure the payment thereof by the execution, negotiation and sale of any bond or bonds secured by mortgage on its property, appurtenances, privileges and franchises; but no such company shall plead any statute or statutes against usury in any suit or action instituted to enforce payment of any bond or mortgage executed under the provisions of this section;

such mortgage, when given, shall constitute a lien on all the franchises and property, both real and personal, of the company, and the proceeds of such bond or bonds shall be used only for the purpose of aiding in the construction, repair or equipment of the road, its branches and appurtenances; and upon the diversion of such proceeds from said uses the directors of said company shall become jointly and severally liable for the debts of the company in an amount equal to the sum of money so diverted and misapplied.

Proceeds of
bonds sold,
how applied.

18. *And be it enacted*, That every street railway company incorporated under this act shall keep in repair, to the satisfaction of the local authorities, the paving, upper planking or other surface material of the portions of streets, roads and bridges occupied by its tracks, and if such tracks occupy unpaved streets or roads, shall, in addition, so keep in repair eighteen inches on each side of the portion occupied by its tracks; *provided*, that nothing in this section shall be deemed to affect or repeal existing provisions of any municipal charter or any ordinance or regulation heretofore passed and adopted.

Railway com-
panies to keep
in repair
streets, roads
and bridges
occupied.

Proviso

19. *And be it enacted*, That the board of aldermen, common council or township committee may, from time to time, establish such reasonable regulations as to the rate of speed, mode of use of the tracks and removal of snow and ice therefrom within their municipality or township as the interest and convenience of the public may require, and may enforce the same by lawful penalties.

Common
council, &c.,
may establish
regulations as
to rate of
speed, use of
tracks, &c.

20. *And be it enacted*, That whoever willfully and maliciously obstructs a street railway company incorporated under this act in the legal use of its railway track, or so delays the passage of the cars thereon, or aids in or abets such obstruction, detention or delay, shall be punished by a fine not exceeding fifty dollars, or by imprisonment not exceeding ten days.

Penalty for
obstructing
railroad, &c.

21. *And be it enacted*, That any street railway company incorporated under this act may, from time to time, establish regulations for the use of its road, cars and property, and may establish the rate or rates of fare on all passengers and property transported in its cars.

Companies
may establish
regulations for
use of road,
and rates of
fare, &c.

22. *And be it enacted*, That all penalties prescribed by this act and incurred by any street railway company

Penalties pre-
scribed, by
whom sued for.

incorporated hereunder, shall be sued for in its own name and to its own use by the municipality or township in which the act or omission of such company complained of has been committed or suffered.

Street railway companies heretofore incorporated and operating a street railway may become subject to the provisions of this act.

Companies to file certificates in office of secretary of state.

Proviso.

Proviso.

Companies not organized under any

23. *And be it enacted*, That any street railway company heretofore incorporated, either by special act or under general laws, and now controlling and operating a street railway, may come under and be subject to the provisions of this act, and continue its existence and operation in the same manner as if formed under the same, if such company shall make and execute a certificate under the hands of the president and directors of the company, which certificate shall state that the said company desires to come under the provisions and liabilities of this act, and which shall be duly acknowledged or proved in the manner prescribed for the acknowledgment or proof of conveyances of real property, and shall be filed in the office of the secretary of state; and upon the filing of such certificate as aforesaid, the said company shall be deemed to be duly incorporated under this act and to be free from the liabilities and provisions of the act or acts under which it was formerly incorporated; *provided, however*, that nothing in this section contained shall be held to affect any transaction, liability or debts of any such company, done, accrued or contracted before the filing of said certificate; *and provided, further*, that if such company filing said certificate shall be at such time as it shall file the same operating a railway not entirely completed over its designated route, it shall forthwith, and before proceeding further to complete the same, pay to the state treasurer the sum of two thousand dollars per mile, and proportionate sums for fractions of a mile, to insure the completion within one year from the date of filing said certificate with the secretary of state of so much of said company's railway, the route of which has been lawfully designated, but not actually built upon and operated; upon failure to deposit the said security as aforesaid, the designation of so much of said company's route as shall be unoccupied by its road shall be null and void, whether the same be designated by special statute or otherwise.

24. *And be it enacted*, That no company not organized under a special charter, or under this act, or now actually

owning, controlling and operating a street railway, shall hereafter construct or operate any street railway or any branch or extension thereof in or on any of the streets or highways of any municipality or township of this state. special charter or this act shall not construct or operate any street railway.

25. *And be it enacted*, That this act shall take effect immediately.

Approved April 6, 1886.

CHAPTER CXXXVI.

A Further Supplement to the act entitled "An act for the relief of soldiers and sailors of this state in the war of eighteen hundred and twelve," approved March twelfth, one thousand eight hundred and seventy-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section one of the act to which this is a further supplement is hereby amended to read as follows: Section amended.

[1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the sum of one hundred dollars be paid all soldiers and sailors of this state who served in the war of eighteen hundred and twelve, and the widows of any such soldiers and sailors, in equal semi-annual payments during their lifetime; *provided*, that no such pension shall hereafter be paid to any such widows of deceased soldiers and sailors who have again married; *provided, further*, that this act shall not apply to any persons who are now or who shall hereafter become entitled to a pension under any law of the United States.] Amount of pension to be paid. Proviso. Proviso.

2. *And be it enacted*, That any such widows shall be entitled to any such pension she would have heretofore been entitled to under the laws of this state, if the further supplement approved April fifth, one thousand eight hundred and seventy-eight, had not been passed; *provided*, this section shall not be construed to entitle the heir or Widows entitled to pension notwithstanding passage of a certain act. Proviso.

heirs of any deceased widow to any pension under the laws of this state.

3. *And be it enacted*, That this act shall take effect immediately.

Approved April 6, 1886.

CHAPTER CXXXVII.

A Supplement to the act entitled "A further supplement to an act entitled 'An act for the organization of the national guard of the state of New Jersey,'" approved March ninth, one thousand eight hundred and sixty-nine, which act was approved April seventeenth, one thousand eight hundred and sixty-five.

Section
amended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section five of the act to which this is a supplement be amended so as to read as follows:

Governor
authorized to
commission
one chief of
artillery and
one engineer.

[5. *And be it enacted*, That the governor be and he is hereby authorized to commission one chief of artillery, with the rank of colonel on the staff of the major-general of division, and one engineer, who shall also be signal officer, with the rank of major on the staff of the brigadier-general of each brigade.]

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 6, 1886.

CHAPTER CXXXVIII.

A Supplement to the act entitled "A supplement to an act entitled 'An act respecting bridges'" [Revision], approved April tenth, one thousand eight hundred and forty-six, which supplement was approved April fifth, one thousand eight hundred and seventy-eight.

WHEREAS, The state reserves to itself the right to deter-^{Preamble.}
mine in each case whether the navigable boundary waters of this state shall be crossed or occupied by bridges, viaducts or other fixed structures, and, if so, when, where, and in what manner; *and whereas*, doubts have been expressed as to the construction and effect of the act passed for that purpose, approved April fifth, one thousand eight hundred and seventy-eight, to which this act is a supplement; therefore, to remove all such doubts,

1. BE IT ENACTED *by the Senate and General Assembly of the* ^{Section}
State of New Jersey, That the first and second sections of ^{amended.}
said act, to which this act is a supplement, entitled "A supplement to an act entitled 'An act respecting bridges'" [Revision], approved April tenth, one thousand eight hundred and forty-six, which act was approved April fifth, one thousand eight hundred and seventy-eight, be so amended that they shall, respectively, read as follows:

[1. BE IT ENACTED *by the Senate and General Assembly of* <sup>No bridge, via-
duct, &c., to be
erected with-
out express
permission of
the legislature.</sup>
the State of New Jersey, That no bridge, viaduct or fixed structure shall be erected by any person or corporation over or in any part of the navigable waters separating this state from other states, where the tide ebbs and flows, without express permission of the legislature of this state, given by statute for that purpose; *provided*, that nothing ^{Proviso.}
herein shall be construed to forbid the erection of docks or wharves.]

No law heretofore passed to be construed to authorize any bridge, &c., to be erected.

2. *And be it enacted*, That no law heretofore passed, or action or organization under it, shall be construed so as to authorize any such bridge, viaduct or fixed structure not now erected.

3. *And be it enacted*, That this act shall take effect immediately.

Passed April 6, 1886.

CHAPTER CXXXIX.

A Further Supplement to an act entitled "An act to regulate elections," approved April eighteenth, one thousand eight hundred and seventy-six.

Section amended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the one hundred and sixty-first section of the act to which this is a supplement, be amended so as to read as follows:

Registry of voters to be made in certain cities.

[161. *And be it enacted*, That in all incorporated cities containing, according to the census of the year one thousand eight hundred and eighty, or of any subsequent census heretofore taken, either by authority of the laws of the United States or of this state, more than six thousand inhabitants, there shall be a registration of all persons entitled to the right of suffrage therein respectively; *provided*, that where any incorporated city containing less than six thousand inhabitants shall lie adjacent to any other city containing more than six thousand inhabitants, the provisions of this act in regard to registration shall apply to all elections held in such city containing less than six thousand inhabitants; *and provided, further*, that this act shall not apply to any municipality incorporated as a town.]

Proviso.

Proviso.

2. *And be it enacted*, That this act shall take effect immediately.

Passed April 6, 1886.

CHAPTER CXL.

An Act constituting police courts in cities of this state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the common council of any incorporated city of this state, where there is no recorder or police justice or police magistrate appointed under the city charter, to appoint, in the same manner as other appointed officers of such cities are appointed, one or more police justices for such city, not exceeding in number one for each twenty thousand inhabitants of such city. Common council authorized to appoint police justices.

2. *And be it enacted*, That every such police justice shall hold office for such term, not exceeding five years, as the common council may, by ordinance passed before his appointment, prescribe; *provided*, that the tenure of office of all police justices in the same city shall be uniform, and shall not be changed during the term for which they shall be appointed; *provided, further*, that every such police justice shall be removable at any time by the common council, on good cause shown. Term of office to be prescribed. Proviso.

3. *And be it enacted*, That every such police justice shall, before he enters upon the duties of his office, take and subscribe an oath or affirmation, before an officer authorized by law to administer oaths, faithfully, fairly and impartially to execute the duties of his office to the best of his abilities and understanding, and shall enter into bond to the city, by its corporate name, with such freehold security and in such penalty, not less than five hundred nor more than two thousand dollars, as the common council shall approve, conditioned for duly accounting to the proper authorities for all moneys that may come into his hands as such police justice, and for the payment of such moneys, on demand, to the person or persons entitled to receive the same. Police justice to take oath and give bond.

Powers, jurisdiction, &c., of police justices.

4. *And be it enacted*, That the police justices appointed as aforesaid, shall have the following and no other powers, authority and jurisdiction, to wit :

Powers enumerated.

I. That they shall be entitled to use and exercise the like power, authority and jurisdiction in all criminal matters and in all matters relating to cases of bastardy, and the relief, removal and settlement of the poor, and in all cases of vagrancy and disorderly persons, as any one or two justices of the peace are or may be by law entitled to use or exercise, and to hear, examine, try and determine the same, and to give judgment and carry the same into execution according to law as such justice or justices might or would do ; but they shall not, by virtue of such office, be authorized to try any civil action except such as may be brought to recover a penalty under the provisions of this act or any of the ordinances of the city, in which case they may act as justices of the peace in their civil capacity ;

To try suits, &c., for violation of ordinances, &c.

II. Every such police justice shall be authorized and empowered to hold a court within the city for which he shall be appointed, to hear, try and determine according to law, all suits and actions which may be brought for the recovery of any penalty or penalties prescribed for the violation of any by-law or by-laws, ordinance or ordinances of such city ; and also to hear, try and determine according to law, all offences charged before him by complaint in writing, on oath or affirmation, to have been committed in violation of any such by-law or by-laws, ordinance or ordinances, for which the punishment is by fine or imprisonment ; every such court shall be a court of record and vested for the purposes aforesaid, with all such power as is used in courts of record of this state.

Proceedings before police justices, how regulated and conducted.

5. *And be it enacted*, That except when otherwise directed by this act, all proceedings before any police justice or police justices under the provisions of the first and second paragraphs of section four of this act, shall, as nearly as may be, be regulated by the provisions of and conducted in the manner prescribed in and by the several acts of the legislature of this state, in and by which the like proceedings before justices of the peace are or shall be regulated, as said acts and the supplements thereto shall from time to time be in force ; and except when otherwise directed

by this act, all suits, actions and proceedings before any police justice, under the provisions of the third paragraph of section four of this act, shall, as nearly as may be, be regulated by the provisions of and conducted in the manner prescribed in and by an act of the legislature of this state entitled "An act constituting courts for the trial of small causes," and the several supplements thereto, as the same are and from time to time shall be in force.

Suits, actions, &c., before police justices to be conducted as prescribed by a certain act.

Title of act recited.

6. *And be it enacted*, That in suits of a civil nature brought before any such police justice to recover any penalty or penalties, the first process to compel appearance shall be a summons, except when an affidavit is filed before such justice at the time the suit is instituted, made by a credible person resident in the city, or a policeman of said city, setting forth that the defendant in the suit is not a resident of the city, or that he is not a freeholder in the county in which the city is situate, and also setting forth facts sufficient to show that said defendant has committed some act or acts in violation of some one or more by-laws or ordinances of the city, which render him liable to a civil action for a penalty or penalties, in which case the process may be a warrant in the nature of a *capias ad respondendum*.

Proceedings in cases of suits of a civil nature to recover penalties, &c.

7. *And be it enacted*, That all such suits as are mentioned in the last preceding section shall be brought in the corporate name of the city, as plaintiff, unless otherwise provided by law.

Suits, how brought.

8. *And be it enacted*, That in any such suit the plaintiff's declaration shall be filed before the justice on or before the return day of the summons, or on the return of the warrant or at the time of the appearance mentioned in the recognizance, and in default thereof the plaintiff shall be non-suited, with costs; and in any such suit it shall be lawful to declare generally in debt for the penalty or penalties, and give the special matter in evidence; but the declaration shall contain a statement of the title and date of the adoption of each by-law or ordinance upon which the action is founded.

Plaintiff's declaration to be filed in default to be non-suited.

What declaration to contain.

9. *And be it enacted*, That in case judgment in any such suit as aforesaid shall be rendered against any one or more defendants therein, said justice shall grant execution thereon against the goods and body of such defendant or defendants according to law.

When judgment is rendered execution to be granted.

Police justices
not to issue
summons for
violation of
ordinances,
&c., until com-
plaint under
oath is first
made.

Summons,
when return-
able.

Police justices
authorized to
adjourn
hearing, &c.

10. *And be it enacted*, That the police justice shall not have jurisdiction over any offense against any by-law or ordinance for which the punishment is by fine or imprisonment until a complaint in writing, under oath or affirmation, shall have been filed before him, setting forth facts sufficient to satisfy such police justice that such an offense has been committed by the defendant or defendants, and specifying the title and date of adoption of each by-law or ordinance alleged to have been violated; and upon the filing of said complaint said police justice shall issue a summons, unless the affidavit of a credible person, resident in the city, or a policeman of said city, shall also be filed before him, setting forth that the defendant is not a resident of the city, or that he is not a freeholder in the county in which the city is situate, in which case said justice shall issue a warrant against said defendant; such summons shall be returnable not less than two nor more than ten days from the issuing thereof, and shall command the officer to whom the same is directed to summon the defendant to answer the complaint of [naming the person by whom complaint has been made as aforesaid], and in other respects shall conform as nearly as may be to writs of summons issued out of the courts for the trial of small causes, and shall be served and returned in the same manner; such warrant shall be returnable forthwith, and shall specify the person making the complaint as aforesaid, and in other respects shall conform, as nearly as may be, to warrants issued out of the courts for the trial of small causes.

11. *And be it enacted*, That at the time of appearance mentioned in the summons, or on the return of the warrant, the police justice may, in his discretion, if the circumstances of the case require it, adjourn the hearing upon such complaint for any time not exceeding ten days, and where the proceeding is by warrant, may cause the defendant to enter into recognizance with surety for his appearance at the time to which the said hearing shall be adjourned, which recognizance and all other recognizances entered into before any such police justice shall be valid and binding, and may be collected in the same manner as recognizances taken in any court for the trial of small causes; and if the defendant being ordered

so to do, shall fail to make such recognizance as afore- Defendant may be committed to county jail on failure to give recognizance.

said, it shall be lawful for said justice to order him committed to the jail of the county or to be kept in the custody of any of the executive officers hereinafter specified, until the hearing upon the complaint.

12. *And be it enacted*, That on the return of the process in the tenth section mentioned, or at the time to which the justice shall have returned the matter, the said justice shall proceed to hear testimony, and to determine and give judgment and pronounce sentence in the matter, without the filing of any pleadings. When justice to proceed to hear testimony and give judgment, &c.

13. *And be it enacted*, That every summons and warrant as aforesaid, by virtue of the provisions of the third paragraph of section four of this act, shall, in addition to the other matters required by law, contain a statement of the title and date of adoption of each by-law or ordinance upon which the suit, action or proceeding in which the same is issued is founded, and shall also sufficiently show whether the same is issued in a suit for a penalty or in a proceeding to punish the defendant by fine or imprisonment. What every summons and warrant is to contain.

14. *And be it enacted*, That all writs, precepts and processes issued by any police justice under this act, shall run in and through the county in which the city for which he is appointed is situate, and he may, in any matter pending before him, award writs of subpoena into any county of this state. Writs, precepts and processes to extend through the county. Writs of subpoena to extend throughout the state.

15. *And be it enacted*, That in every suit, action or proceeding under the provisions of the third paragraph of section four of this act, the defendant may, at any time before said police justice has proceeded to inquire into the merits of the case, demand a trial by jury; which the said police justice is hereby required to grant; and thereupon a venire for a jury of twelve men shall be issued and executed in accordance with the provisions of section thirty-three of "An act constituting courts for the trial of small causes." Defendant may demand trial by jury. Certain acts recited.

16. *And be it enacted*, That if any person, being summoned to appear as a juror or witness before any such police justice, shall fail so to appear, it shall be lawful for the justice to issue a warrant, under his hand and seal, for the apprehension of the person so failing, which Proceedings in case jurors or witnesses summoned fail to appear.

warrant shall be returnable before such justice forthwith; and upon such person being apprehended, the said justice may, if necessary for the proper trial of the suit, action or proceeding in which such person was summoned, order him to be released, on giving bail with sureties, or in default thereof, to be held in custody for his future appearance at such short day as the case may require.

Books of record of by-laws and ordinances to be received as evidence in all suits, &c.

17. *And be it enacted*, That in any suit, action or proceeding before any such police justice, under the provisions of the third paragraph of section four of this act, and in any proceedings taken to review the same, the books of record of the by-laws and ordinances shall be taken and received as evidence of the due passage of all by-laws and ordinances recorded therein; and any book or pamphlet of by-laws or ordinances printed by authority of the common council, shall, in like manner, be taken and received as evidence of the due passage thereof; and the publication of said by-laws and ordinances in the manner prescribed by law, shall, in all cases, be presumed to have been done until the contrary be proved.

Who authorized to execute summons, warrants, &c.

18. *And be it enacted*, That any constable of the county in which such city is situate, and any marshal, assistant marshal or police officer of such city, shall and may lawfully act in the execution of any and all summonses, warrants, subpoenas, venire, writs and processes whatever issued by any such police justice, and are hereby authorized, empowered and required to do and perform all such acts, matters and things, under the direction and warrant of any such police justice as any constable may now or hereafter be authorized, empowered and required by law to do and perform under the direction and warrant of the justices of the peace in and for the several counties of this state.

Justices empowered to issue warrant commanding officer to convey defendant to county jail.

19. *And be it enacted*, That it shall be lawful for any such police justice, by whom judgment or sentence of imprisonment shall be given, to issue his warrant, under his hand and seal, to any of the executive officers aforesaid, commanding him to take and convey the defendant to the common jail of the county, there to remain until the term of imprisonment shall have expired, and from thence until the costs of the prosecution be paid; and in case the defendant shall be adjudged to pay a fine, then

it shall be lawful for the justice either to order the defendant to be committed to the county jail until the fine and costs are paid, or to issue an execution to any officer as aforesaid, commanding him to levy and make such fine and costs of prosecution of the goods and chattels of the defendant, and, for want of goods and chattels, to take and convey such defendant to the county jail as aforesaid, thence to remain until such fine and costs, or the balance thereof remaining due, shall be paid.

When defendant adjudged to pay fine, police justice may commit person to county jail until fine and costs are paid, or issue execution, &c.

20. *And be it enacted*, That it shall be the duty of the sheriff and jailer of the county to receive all persons who shall be apprehended or committed to jail as aforesaid, and to keep to same as prisoners in the same way and under the same regulations and penalties as other prisoners are by law required to be kept.

Sheriff and jailers to receive all persons committed.

21. *And be it enacted*, That the judgments, orders and proceedings had before any such police justice in any civil suit brought to recover a penalty or penalties, shall be subject to review by certiorari, appeal or otherwise, in all respects the same, and under the same regulations, restrictions and limitations, as the like judgments, orders and proceedings in the courts for the trial of small causes are or may be by law reviewable; and all judgments orders and proceedings had before any such police justice upon any complaint for the violation of any by-law or ordinance, punishable by fine or imprisonment, shall be reviewable at the instance of any defendant therein, by appeal to the next court of general quarter sessions of the peace of the same county, which appeal shall be taken by notice in writing, filed before said justice within ten days after the judgment, order or proceeding appealed from, and shall operate as a stay of execution or of sentence of imprisonment; *provided*, the defendant shall, where sentenced to imprisonment, enter into recognizance before said justice with sufficient security, conditioned that he shall appear before said court of quarter sessions and answer to the said complaint, and abide the judgment of the court and not depart without leave, and where sentenced to pay a fine the execution thereon shall stand as security for the payment of the fine and costs, in case the judgment shall be affirmed; *provided, further*, that such execution shall be set aside upon the defendant entering into

Proceedings had in civil suits subject to review by certiorari or appeal.

Proceedings had for violation of by-laws or ordinances reviewable by appeal.

Proceedings in case of appeal.

Proviso.

Proviso.

bond, with sufficient security, conditioned for the payment of the fine and costs, if the judgment shall be affirmed; and every such appeal to the quarter sessions shall be heard, tried and determined under such rules and orders as the said court may prescribe for the proper determination of the same.

All judgments, orders and proceedings had reviewable as in cases had before justices of the peace.

22. *And be it enacted*, That all judgments, orders and proceedings had before any such police justice or justices by virtue of the first and second paragraphs of section four of this act, shall be reviewable in the same cases only, and under the same regulations, restrictions and limitations as the same or similar judgments, orders and proceedings before any justice or justices of the peace are or may be by law reviewable.

Fees and charges, how taxed, and act to apply to certain cities.

Proviso.

23. *And be it enacted*, That the same fees and charges shall be taxed and collected for any and all services performed under this act as are or may be provided by law for like services in other matters, and shall be recovered in the same manner; *provided*, that in all cases where the officers performing any such service or services shall receive a regular salary from such city, he shall not be entitled to or receive any compensation for services performed under this act, and the fees charged and collected for such services shall be paid into the treasury of such city; *and provided, further*, that this act shall not apply to cities having a population of less than nine thousand inhabitants.

Proviso.

Act, when to take effect, and not to be construed to repeal a certain act.

Act recited.

24. *And be it enacted*, That this act shall be deemed a public act and shall take effect immediately, but nothing in this act shall be construed to repeal the act entitled "An act constituting police courts in certain cities of this state," approved March twenty-third, one thousand eight hundred and eighty-three, nor any supplement thereto.

Passed April 6, 1886.

CHAPTER CXLI.

A Supplement to an act entitled "An act for the incorporation of safe deposit and trust companies," approved April twentieth, one thousand eight hundred and eighty-five.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in addition to the provisions of the act to which this is a supplement, and the powers and authority therein and thereby given, it shall and may be lawful for any association created under said act, and with a capital of not less than one hundred thousand dollars, to act as agents to transfer, register, countersign and for the purchase and sale of stocks, bonds or other obligations of any corporation, association, municipality, state or public authority, and to receive and manage any sinking fund thereof, upon such terms as may be agreed upon, to act as assignees, receivers, agents, executors, administrators or guardians, and execute trusts of every description not inconsistent with the laws of the state of New Jersey or of the United States of America.

Authorized to act as agents to transfer, register and sale of stocks, bonds, &c.

Authorized to receive and manage sinking funds, and to act as assignees, receivers, &c. of guardians, &c.

2. *And be it enacted*, That any association accepting trusts under the provisions of this act shall not be required to give security therefor, and in lieu thereof, its capital stock and its surplus shall be held liable, in preference of all other liabilities, for the faithful performance of its duties under the trusts.

Capital stock and surplus liable for performance of trust.

3. *And be it enacted*, That this act shall take effect immediately.

Passed April 6, 1886.

CHAPTER CXLII.

Supplement to an act entitled "An act for the settlement and relief of the poor," approved March twenty-seventh, one thousand eight hundred and seventy-four.

Legal settle-
ment defined.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any person or persons who have or who shall have resided in any township of this state for the period of ten years, shall be considered as legally settled in said township.

Repealer.

2. *And be it enacted*, That all acts and parts of acts inconsistent with this act be and the same are hereby repealed, and that this act shall take effect immediately.

Passed April 6, 1886.

CHAPTER CXLIII.

An Act to amend section one of the act entitled "Supplement to an act entitled 'An act to regulate the practice of courts of law'" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four, which supplement was approved April twenty-eighth, one thousand eight hundred and eighty-four.

Section
amended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section one of the act of which this act is amendatory, be and the same is hereby amended to read as follows:

Writs of certio-
rari not to be
granted or
allowed to

[1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That no writ of certiorari shall hereafter be granted or allowed to review any assessment

for taxes, to recover which taxes any sale has been had or made, or to review the proceedings of any such sale, unless such writ be granted or allowed within nine years from the date or time of any such sale.] review assessments unless granted within a certain time.

2. *And be it enacted*, That this act shall take effect immediately.

Passed April 6, 1886.

CHAPTER CXLIV.

An Act to empower township committees to order money raised by taxation to pay promissory notes in certain cases.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of any township to order raised by taxation, in the same manner as other township moneys are raised, a sum sufficient to pay the principal and interest of any promissory note or notes given prior to the year one thousand eight hundred and eighty by order of the township committee in the name of the inhabitants of the township, and signed by the chairman and clerk of such committee, for moneys borrowed for the use of the township; and such money, when raised, shall be applied to the payment of such notes. Township committee to order money raised by taxation to pay promissory notes in certain cases.

2. *And be it enacted*, That this act shall take effect immediately.

Passed April 6, 1886.

CHAPTER CXLV.

An Act relative to the filing of certificates of incorporation.

When original certificate of incorporation is lost a certified copy of record may be filed in office of secretary of state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in case any certificate of incorporation of any corporation organized under the act entitled "An act concerning corporations" [Revision], approved April seventh, one thousand eight hundred and seventy-five, and the acts amendatory thereof shall have been heretofore or is hereafter lost after the same has been recorded with the clerk of the county where its principal place of business is located and before it has been filed with the secretary of state, then in that case it shall be lawful for one or more stockholders of such corporation to cause a copy of the record of the original certificate of incorporation in said county clerk's office, certified by the clerk of the county in which it is recorded, to be filed with the secretary of state as of the date when it was recorded in said county clerk's office; and the secretary of state is hereby required to file the said certificate in his office as of the date when it was recorded with the clerk of the county in which the principal place of business of such corporation is situated and to charge the same fees for such filing as was required by law at the time for which such certificate shall be filed.

When certificate recorded, corporation deemed incorporated.

2. *And be it enacted*, That for all intents and purposes any such corporation shall be deemed to have been incorporated as of the date when the original certificate of incorporation was recorded with the clerk of the county in which said corporation's principal office or place of business is located.

3. *And be it enacted*, That this act shall take effect immediately.

Passed April 6, 1886.

CHAPTER CXLVI.

An Act to amend an act entitled "An act respecting police departments of cities and regulating the tenure and terms of office of officers and men employed in said departments," approved March twenty-fifth, one thousand eight hundred and eighty-five.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section four of the act to which this is amendatory be amended so as to read as follows:

[4. *And be it enacted*, That no person shall be appointed an officer or member of the police force in any city who has ever been convicted of a crime, who is less than twenty-one years or over fifty-five years of age at the time of his appointment.]

2. *And be it enacted*, That this act shall take effect immediately.

Passed April 6, 1886.

CHAPTER CXLVII.

An Act to enable cities of this state to increase the police force in said cities.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for any city of this state having a police force under its jurisdiction to increase said force by adding thereto fifteen additional men, whenever in the judgement of the proper

authorities having the appointment of said policemen it shall be necessary so to do.

Repealer.

2. *And be it enacted*, That all acts and parts of acts inconsistent with this act be and the same are hereby repealed.

3. *And be it enacted*, That this act shall take effect immediately.

Passed April 6, 1886.

CHAPTER CXLVIII.

An Act to authorize cities of this state to purchase, construct and maintain a public bath.

Cities authorized to purchase, construct, maintain and regulate a public bath.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for any city of this state bordering on any river or navigable stream of water, through its common council, board of aldermen or other governing body, to purchase, construct, maintain and regulate a public bath for the use and convenience of the inhabitants of such cities, and may hire or lease sufficient space on the shore of such river or navigable stream to accommodate the said bath.

Authorized to issue bonds for the payment of cost of purchasing, &c.

2. *And be it enacted*, That the mayor and common council or other municipal authority of such cities shall have power to issue bonds of such city for the payment of the cost of the purchase, construction and maintenance of said bath, and the ground and water front necessary for the accommodation of the same, which bonds shall have not more than ten or less than five years to run, and shall bear interest at the rate of five per centum per annum, and shall pledge the faith, credit and property of said city for the payment of principal and interest thereon, and shall provide for the redemption of said bonds by taxation.

Repealer.

3. *And be it enacted*, That all acts and parts of acts inconsistent herewith be and they are hereby repealed.

4. *And be it enacted*, That this act shall be deemed to be a public act and shall take effect immediately.

Approved April 12, 1886.

CHAPTER CXLIX.

An Act relating to the fiscal year of cities.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the common council or other legislative body of any city in this state to change, by ordinance, with the concurrence of the board or body having charge or control of the finances of such city, the date of the beginning and ending of its fiscal year. Beginning and ending of fiscal year in cities, how changed.

2. *And be it enacted*, That in order to provide for the current expenses of any city between the ending of its fiscal year as now fixed by law and the beginning of the fiscal year that may be fixed in pursuance of this act, it shall be lawful for any city to appropriate and use for that purpose any or all of its unexpended balances of taxes, whether collected or not; *provided*, that the amount so appropriated shall not be in excess of the amount expended during the corresponding period of time in the year next preceding; *and provided, further*, that no balance or arrears of taxes that may have been pledged to secure any debt shall be used for the purpose aforesaid. May appropriate and use unexpended balances of taxes to provide for expenses caused by changing of fiscal year. Proviso.

3. *And be it enacted*, That all acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and that this act shall take effect immediately. Repealer.

Approved April 12, 1886.

CHAPTER CL.

An Act to prevent the transportation of giant powder, dynamite or nitro-glycerine on trains of cars carrying passengers in this state.

Unlawful to
transport giant
powder,
dynamite, &c.,
upon pas-
senger trains.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That on and after the passage of this act it shall be unlawful for any railroad corporation doing business in this state, to transport upon trains of cars carrying passengers in this state, any giant powder, dynamite or nitro-glycerine.

Penalty for
Refusing to
comply with
act.

2. *And be it enacted*, That if any railroad doing business in this state shall refuse to comply with the provisions of this act, it shall be deemed a misdemeanor, punishable by a fine of one hundred dollars for each and every offense, to be collected in any court of competent jurisdiction in this state.

3. *And be it enacted*, That this act shall take effect immediately.

Approved April 12, 1886.

CHAPTER CLI.

A Supplement to an act entitled "An act to enable churches to change their corporate names or titles," approved March eleventh, one thousand eight hundred and seventy-four.

Section
amended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section one of said act be and the same is hereby amended so as to read as follows:

[1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any church that has been heretofore or may hereafter be incorporated under and by the laws of this state, may change its corporate name or title and assume another name or title by resolution passed at a meeting of its trustees, consistory or other body, by whatever name the same may be called, having management of the temporalities of said church; such resolution shall be certified under its corporate seal, and proved in the same manner as deeds for lands are required to be proved, and when filed in the office of the clerk of the county in which such church is situated, such corporation shall be thereafter known and may bring and defend actions and suits at law or in equity by such new name; *provided*, that nothing herein contained shall be construed to relieve any such corporation from any of its legal contracts, obligations, debts or other liabilities, or release any legal existing obligations, debts or other liabilities, or rights due to, held by or belonging to such corporation.

Churches
authorized to
change cor-
porate name.

Resolution to
be certified and
filed in county
clerk's office.

Provide.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 12, 1886.

CHAPTER CLII.

An Act concerning the residence of the clerk in chancery.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the clerk in chancery to reside at such place within the state of New Jersey as shall be approved of by the chancellor.

Residence of
clerk in
chancery.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 12, 1886.

CHAPTER CLIII.

An Act concerning newspapers and to validate the publication of legal notices therein.

Publication of
legal notices
not invalidated
by change or
alteration of
title of news-
papers.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That no change or alteration in the name or title of a newspaper, the publication of which shall not have been suspended, shall affect or in any way invalidate the publication therein of legal notices.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 12, 1886. •

CHAPTER CLIV.

An Act relative to the publication of the financial statements of counties.

Board of free-
holders
authorized to
designate
number of
legal news-
papers to pub-
lish statement.

Proviso.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in the several counties of this state where the financial statement of the county collector is published in the newspapers, the board of chosen free-holders shall have power to designate such number of legal newspapers, not less than two, as in their judgment may seem proper; *provided*, they designate at least one newspaper of each political party.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 12, 1886.

CHAPTER CLV.

A Supplement to the act entitled "An act concerning recognizances," approved April first, one thousand eight hundred and seventy-eight.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section one of the act to which this is a supplement be and the same is hereby amended so that hereafter the said section one shall read as follows, to wit:

[1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in the several courts of oyer and terminer and general gaol delivery and general quarter sessions of the peace, and in the courts of special sessions now existing or hereafter to be created in any of the counties of this state, recognizances of bail in criminal cases may be taken by the law judge of any of said counties during any recess or after any adjournment of any of said courts; or said recognizances may be taken during such recess or after any such adjournment by the clerk of said courts upon the written order of the presiding judge of either of said courts, and that all recognizances so taken shall be held as binding as though taken in open court; *provided, however*, that this act shall apply only to counties having a presiding law judge.]

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 12, 1886.

CHAPTER CLVI.

An Act to authorize the state treasurer to pay the penalty that may become due on the annulment of any contract under which the inmates of the state prison or reform school in this state are employed.

Preamble.

WHEREAS, The managing authorities of the state prison and of the reform school in this state have made certain contracts for the employment of the inmates of the state prison and the state reform school, which contracts contain a condition providing that they may be annulled and surrendered by either party thereto, on the payment of a certain penalty expressed therein; *and whereas*, no provision is made for the payment of such penalty; therefore,

Penalty due on annulment or surrender of contract by the state to be paid by the state treasurer.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That on the annulment and surrender by the state of any contract under which the inmates of the state prison or the state reform school of this state are employed, the comptroller of this state is hereby directed, on receiving from the managing authorities of the state prison or state reform school notice that such contract has been annulled and surrendered, and that the penalty is due thereunder, to draw his warrant for the amount of such penalty to the party or parties entitled to payment, and the state treasurer is hereby authorized to pay the same on the warrant of the said comptroller; *provided*, that no warrant shall be drawn by the comptroller, nor shall the state treasurer be authorized to pay any warrant drawn under the provisions of this act until the resolution or order declaring such penalty due and stating the amount thereof shall have been approved in writing by the governor.

Proviso.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 12, 1886.

CHAPTER CLVII.

A Further Supplement to an act entitled "An act for the organization of the national guard of the state of New Jersey," approved March ninth, one thousand eight hundred and sixty-nine.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the governor and commander-in-chief be and he is hereby authorized to appoint and commission at his discretion, as in his judgment the public service may require, two assistant inspector-generals of rifle practice, with the rank of colonel, or he may detail officers to act as such if he deems proper.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 12, 1886.

CHAPTER CLVIII.

A Supplement to an act entitled "An act relative to guardians and minors" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That when it shall be made to appear to the chancellor, upon the application of the guardian of an infant, that the land of such infant is occupied, in whole or part, by old, insecure or dilapidated buildings, or a building or buildings that is or are incapable of producing an income proportionate to and with the value of the land, and that it would be to the advantage of the

Upon application
chancellor
authorized to
order guardian
to destroy or
remove build-
ings and erect
new and other
buildings.

New Jersey State Library

estate of such infant that such building or buildings should be destroyed or removed and other building or buildings erected on said land, it shall be lawful for the chancellor to order and direct that the guardian of such infant be authorized to destroy or remove such building or buildings and to enter into a contract or contracts for the erection of new and other building or buildings as may be deemed advisable by the chancellor, and it shall be lawful for the chancellor to order and direct that the guardian borrow from time to time on bond, secured by mortgage on the lands of such infant, a sum of money sufficient to pay for the erection and completion of said building or buildings upon such terms as he may determine.

May order
guardian to
borrow money,
&c.

Persons
entitled to
dower entitled
to receive one-
third of pro-
ceeds during
life.

2. *And be it enacted*, That in case any person entitled to dower in such land shall join in such mortgage, she shall be entitled to receive, during the term of her natural life, one-third of the net proceeds received from said building or buildings, after deducting all taxes, assessments, water-rents, repairs, insurance premiums, commissions paid to agents for collecting such rents and other proper deductions to be first made from said rents.

Chancellor
authorized to
direct
exchange of
lands, &c.

3. *And be it enacted*, That when it shall appear to the chancellor, in the manner aforesaid, that it would be to the advantage of the estate of any minor to exchange a portion of the land described in such application for land next adjoining thereto, in order that the land of such minor may not be separated by the land of another, it shall be lawful for the chancellor to order and direct such exchange to be made upon such terms as he may determine; *provided*, that such adjoining land owner consents in writing to the making of such order.

Proviso.

4. *And be it enacted*, That this act shall take effect immediately.

Approved April 12, 1886.

CHAPTER CLIX.

A Further Supplement to an act entitled "An act to incorporate benevolent and charitable associations" [Revision], approved April ninth, one thousand eight hundred and seventy-five.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section two of a supplement to the act to which this act is a supplement, and which supplement was approved March second, one thousand eight hundred and eighty-three, be and the same is hereby amended to read as follows:

[2. *And be it enacted*, That it shall be lawful for associations incorporated under this act to contract with their members to pay death benefits according to the rules or by-laws adopted by such associations, and to agree to pay the same to the husband, wife, father, mother, son, daughter, brother, sister or legal representative of such member after his or her death, which contract the beneficiary therein named shall have full legal power to enforce in proceedings at law or equity.]

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 12, 1886.

CHAPTER CLX.

An Act authorizing corporations leasing their railroads and franchises to issue bonds secured by mortgage in certain cases.

Railroads
authorized to
borrow money
and to issue
bonds secured
by mortgages,
&c.

Proviso.

Repealer.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any railroad corporation which shall be authorized to lease its railroad and franchises pursuant to the provisions of an act entitled "An act respecting the leasing of railroads," approved May second, one thousand eight hundred and eighty-five, shall, in addition to its present power to borrow money and issue bonds and secure the payment thereof by mortgage, have power and authority to borrow money and issue bonds, payable not more than one hundred years from the date thereof, to an amount sufficient to cover all its indebtedness, and to aid in the completion and equipment of its railroad; and that, to secure the payment of such bonds, it shall be lawful for such company to create a mortgage or mortgages covering its corporate franchises, rights, privileges and property, real and personal; and that bonds so issued may be given in lieu, exchange and satisfaction of and for all bonds or other debts against such company, upon such terms as may be agreed upon by the holders of said debts or claims; *providing*, that the bonds so issued shall not bear a greater rate of interest than five per centum per annum, or than four per centum per annum if guaranteed as to payment of principal and interest falling due on said bonds by the railroad corporation accepting such lease, made in pursuance of and in compliance with the provisions of said act, approved May second, one thousand eight hundred and eighty-five.

2. *And be it enacted*, That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and that this act shall take effect immediately.

Approved April 12, 1886.

CHAPTER CLXI.

An Act to provide for a board of commissioners of assessment in cities when no such board or mode of assessment of benefits is provided by the city charter.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That when no provision is made by the charter of any city in this state for the appointment or election of a commission or board for the assessment of benefits, (or no mode of assessment of benefits other than the charging against each property or parcel the cost of making the street adjoining the same is prescribed,) a board of commissioners of assessment is hereby created, and shall consist of the city surveyor and two of its members to be appointed to such board by the governing body of such city, the duty of which board of commissioners of assessment shall be to make assessments for benefits resulting from street improvements according to law, and file such assessment with the clerk of such city; the amount of such assessments shall be recoverable by or in behalf of such city as provided by existing law for the collection of moneys due such city for street improvements or expenditures therefor.

Board of commissioners of assessment created.

How consisted and their duties.

Assessments, how recoverable.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 12, 1886.

CHAPTER CLXIII.

A Supplement to an act entitled "An act to provide for the regulation and incorporation of insurance companies" [Revision], approved April ninth, eighteen hundred and seventy-five.

Certified copy
of certificate of
authority
issued by
secretary of
state to be
evidence of
the incorpora-
tion of
companies.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever any insurance company, organized under the laws of other states or foreign governments, shall comply with the laws of this state and shall have issued to it the certificate of the secretary of state, authorizing it to transact business in this state, in any action at law or in equity, in which such company is plaintiff or defendant, or in any criminal proceedings under the laws of this state, a certified copy of such certificate of authority, under the hand and official seal of the secretary of state, shall be prima facie evidence of the incorporation of such company.

2. *And be it enacted*, That this act shall be deemed a public act and shall take effect immediately.

Passed April 13, 1886.

CHAPTER CLXIV.

An Act empowering governing bodies of cities to license junk dealers and prohibit unlicensed persons from dealing in junk.

Cities
authorized to
license junk
dealers, and
prohibit
unlicensed
persons.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the common council or other governing body of any city to make, establish, publish, modify, amend, or repeal ordinances, rules, regulations and by-laws, to license and regulate all

persons engaging in the business of buying or selling old rope, old iron, brass, tin, copper, lead, rags, glass, paper, and any other kind of material commonly called junk, and to prohibit unlicensed persons from engaging in such business.

2. *And be it enacted*, That after the passing of any ordinance, rule, regulation or by-law for the purposes mentioned in the first section of this act, it shall be lawful for the license inspector, by whatever name designated, or any police officer of such city, to summarily arrest any person violating the provisions of such ordinances. Persons violating ordinances may be arrested.

3. *And be it enacted*, That it shall be lawful to carry such person so arrested before any magistrate of said city, before whom violations of ordinances are triable, whereupon such magistrate shall determine whether the person so arrested has been guilty of the violation complained of. Magistrates to determine violations.

4. *And be it enacted*, That on the conviction of such person for such violation, it shall be lawful for said magistrate to impose a fine on such person of not less than one dollar nor more than twenty-five dollars, together with lawful costs, and in default of such fine and costs being paid, to commit such person so convicted to the county jail or prison for a period not to exceed ten days. Penalty for violation of ordinances.

5. *And be it enacted*, That all fines and costs so received shall be paid into the treasury of said city, the same as fines and costs received from the violation of ordinances. Fines and costs paid into city treasury.

6. *And be it enacted*, That all acts and parts of acts, general and special, inconsistent with this act, be and the same are hereby repealed.

7. *And be it enacted*, That this act shall take effect immediately. Repealer.

Passed April 13, 1886.

CHAPTER CLXV.

A Further Supplement to an act entitled "A further supplement to an act entitled 'A further supplement to an act entitled "An act concerning corporations,"'" approved April seventh, one thousand eight hundred and seventy-five, which supplement was approved March ninth, one thousand eight hundred and seventy-seven.

Section
amended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section one of an act entitled "A further supplement to an act entitled 'A further supplement to an act entitled "An act concerning corporations,"'" approved April seventh, one thousand eight hundred and seventy-five, which supplement was approved March ninth, one thousand eight hundred and seventy-seven, be and the same hereby is amended so as to read as follows :

Increase of
capital stock
and directors,
how affected.

[1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That when any company incorporated under the laws of this state by special act of incorporation, or otherwise, is limited by its charter, or otherwise, to a certain amount of capital stock, and a certain number of directors, such corporation shall have power to increase the amount of its capital stock or the number of its directors, or both, on filing with the secretary of state the assent in writing of stockholders representing two-thirds in value of the existing capital stock, and a certificate setting forth the amount of capital stock, or number of directors as increased, and the certificate of the secretary of state that such assent and certificate have been filed in his office, shall be taken and accepted as evidence of such increase in any court of this state ; *provided*, that the additional capital stock authorized under this act shall be paid for in cash, or shall be issued in payment for land and other property acquired by said com-

Proviso.

pany for the purposes of its incorporation and for improvements upon or to its property to the amount of the value thereof; *and provided, further*, in the case of any company ^{Proviso.} having two or more classes of stock, common and preferred, such increase may be in any one or more classes of stock, whether common or preferred, and such assent shall be by stockholders representing two-thirds in value of each class of existing capital stock, whether common or preferred.]

2. *And be it enacted*, That this act shall take effect immediately.

Passed April 14, 1886.

CHAPTER CLXVI.

A Supplement to an act entitled "An act regulating the pay of officers and policemen in certain cities of this state," approved March twenty-sixth, one thousand eight hundred and eighty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in any city or municipality in which the act to which this act is a supplement, shall become operative in the manner therein provided, the increase of pay or salaries therein made shall go into effect on the first day of the next calendar month thereafter, notwithstanding that there may not be any existing appropriation or fund sufficient to permit such increase, and the board or authority having control of the finances of such city or municipality shall borrow a sufficient sum to cover such increase for the remainder of the current fiscal year of such city or municipality, or may permit the same to be paid out of any money of said city or municipality, and shall put such sum in the next tax levy raised in said city or municipality.

When increase of pay or salaries to take effect.

Board authorized to borrow money, &c.

2. *And be it enacted*, That this act shall take effect immediately.

Passed April 15, 1886.

CHAPTER CLXVII.

Supplement to an act entitled "An act to regulate fees," approved April fifteenth, one thousand eight hundred and forty-six.

- Freeholders of certain counties may direct payment to prosecutors of pleas sum sufficient to make certain amount.
1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That if in any county of this state having more than twenty thousand inhabitants the fees of the prosecutor of the pleas shall in any year amount to less than one thousand dollars, the board of freeholders of such county may direct the payment to said prosecutor of a sum sufficient to make, when added to the fees received by said prosecutor, the sum of one thousand dollars.
 2. *And be it enacted*, That this act shall take effect immediately.
- Passed April 15, 1886.

CHAPTER CLXVIII.

A Further Supplement to an act entitled "An act respecting railroads and canals" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

- When filing bond in case of appeal, companies may enter upon and take possession of land, &c.
1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That when an appeal is taken by any railroad company, as provided in section one hundred and one of the act to which this is a supplement, it shall and may be lawful for such railroad company to enter upon and take possession of the land in question, upon filing in the office of the clerk of the circuit court:

of the county in which such appeal shall be had a bond to the owner or owners of said land, with one or more sureties, being freeholders in such county, in double the sum which shall have been awarded by the commissioners, conditioned to prosecute to effect the said appeal and to pay to the owner or owners of said land such sum as the court and jury shall award, which bond shall be approved by one of the judges of the court of common pleas in said county.

2. *And be it enacted*, That this act shall take effect immediately.

Passed April 16, 1886.

CHAPTER CLXIX.

An Act to authorize turnpike companies to dispose of the whole or a portion of their roads and property to another turnpike company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any incorporated turnpike company of this state may sell, transfer and convey the whole or any portion of its road to any other incorporated turnpike company of this state; *provided*, the consent of the owners of two-thirds in value of the capital stock of such company be obtained, in writing, for that purpose.

2. *And be it enacted*, That the company acquiring such property shall have and exercise all the rights, powers and privileges and be subject to all the duties, liabilities and restrictions of the turnpike company disposing of the same.

3. *And be it enacted*, That this act shall take effect immediately.

Passed April 16, 1886.

CHAPTER CLXX.

An Act giving the recorder or police justice in all cities in this state exclusive jurisdiction of all complaints under the vice and immorality act.

Recorders or
police justices
to have
exclusive
jurisdiction of
all complaints
under the vice
and immor-
ality act.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in all cities of this state having a recorder or police justice therein, all complaints for any violation of the provisions of the act entitled "An act for suppressing vice and immorality" [Revision], approved March twenty-seventh, anno domini one thousand eight hundred and seventy-four, shall be made before such recorder or such police justice of such cities, and said recorder or police justice shall have exclusive jurisdiction in said cities, and said complaints shall be entertained by said recorder or police justice, and disposed of according to the rules of practice applicable to the respective statutes and ordinances concerning the same in force in said cities, and the costs of said prosecution, except where the defendants are able to pay the same, shall be borne by the city; *provided, however*, that this act shall not apply to any recorder in any city in which the recorder is a member of the governing body of such city, or who may become the presiding officer of such governing body during the absence of the mayor.

Proviso.

No justice of
the peace to
have jurisdic-
tion.

2. *And be it enacted*, That in any such city as aforesaid, no justice of the peace shall have jurisdiction to entertain any such complaint, or to hear, try and determine any such complaint, any law, custom or usage to the contrary notwithstanding.

Repealer.

3. *And be it enacted*, That this act shall be deemed a public act and take effect immediately, and all acts and parts of acts inconsistent with this act be and the same are hereby repealed.

Passed April 16, 1886.

CHAPTER CLXXI.

An Act to confer upon The State Charities Aid Association of New Jersey, an association incorporated under the provisions of the act entitled "An act to incorporate benevolent and charitable associations," approved April ninth, one thousand eight hundred and seventy-five, the power to visit, inspect and examine the county and town poorhouses, jails, asylums and other public reformatory and penal institutions of this state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any justice of the supreme court of this state is hereby authorized to grant, on a written application to him of a majority of the board of managers of "The State Charities Aid Association of New Jersey," an association organized under the provisions of the act entitled "An act to incorporate benevolent and charitable associations," approved April ninth, one thousand eight hundred and seventy-five, to such person or persons as may be named in such application, an order enabling such person or persons to visit, inspect and examine in behalf of said association, any of the county, town, township or city poorhouses, prisons, jails, penitentiaries, reformatories, and lunatic or orphan asylums, located within any of the counties in which said justice may be appointed to hold the circuit court thereof; and every such order shall specify the institutions to be visited, inspected and examined, and the names of the person or persons by whom the visitation, inspection and examination are to be made, and shall be in force for one year from the date on which it shall have been granted, unless sooner revoked.

2. *And be it enacted*, That it shall be the duty of any and all persons in charge of each and every poorhouse, prison, jail or other institution embraced in the order

Upon application justice of supreme court authorized to issue order to enable certain persons to visit and inspect poor-houses, prisons, jails, &c.

Keepers to admit and allow persons named in order

to visit, inspect
and examine
institutions,
&c.

specified in the first section of this act, to admit any or all of the persons named in the said order of the justice of the supreme court into every part of such institution, and to render the said person or persons so named in said order every facility within their power to enable them to make, in a thorough manner, their visit, inspection and examination, which are hereby declared to be for a public purpose, and to be made with a view to public benefit; obedience to the order herein authorized shall be enforced in the same manner and with like effect as obedience is enforced to any other order or mandate made by such justice.

Association to
make annual
report.

3. *And be it enacted*, That it shall be the duty of the said association to make an annual report to the legislature of this state.

4. *And be it enacted*, That this act shall be deemed a public act and shall take effect immediately.

Passed April 16, 1886.

CHAPTER CLXXII.

An Act to authorize cities to increase the limit of the annual expenditure for current expenses for public schools.

Amount
authorized for
current ex-
penses of
public schools.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for any city in this state to raise, by taxation, and expend for the purposes of current expenses of the department of public instruction for any fiscal year, an amount which, together with the state appropriation for schools, shall equal fifteen dollars per scholar on the average number reported as enrolled in the public schools of such city in the last preceding year; *provided*, that this act shall not be construed so as to decrease the limit of expenditure for the purposes aforesaid in any city where by present law the limit is more than fifteen dollars or where there is no limit.

Proviso.

2. *And be it enacted*, That all acts and parts of acts, general and special, inconsistent with the provisions of this act, be and the same are hereby repealed, and this act shall take effect immediately.

Approved April 16, 1886.

CHAPTER CLXXIII.

An Act concerning city clerks of municipalities in this state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That hereafter the board of ^{Certain municipalities} ~~aldermen, city council or other legislative body of any~~ ^{authorized to elect a clerk.} municipality in this state, in which any officer of such municipality is now authorized to act as clerk, shall have power to elect a clerk, any act to the contrary notwithstanding.

2. *And be it enacted*, That all acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

Approved April 16, 1886.

CHAPTER CLXXIV.

Supplement to an act entitled "An act concerning taxes," approved April fourteenth, one thousand eight hundred and forty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That hereafter there shall not be ^{No more than one poll tax to be assessed.} assessed upon any inhabitant of this state more than one

poll tax in any one year, except in districts where a poll tax is levied for school purposes.

Repealer.

2. *And be it enacted*, That all acts and parts of acts inconsistent with this act be and are hereby repealed.

3. *And be it enacted*, That this act shall take effect immediately.

Approved April 16, 1886.

CHAPTER CLXXV.

A Further Supplement to an act entitled "An act for the formation of borough governments," approved April fifth, one thousand eight hundred and seventy-eight.

Mayor and council authorized to contract for macadamizing and repairing streets, roads, &c.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the mayor and council of boroughs organized under the act to which this is a supplement, to enter into contract or contracts for the macadamizing or otherwise permanently improving the public streets, avenues or roads within the borough as soon as the amount of money to be raised by tax for road purposes therein is ordered or voted to be assessed in manner provided by law, and in anticipation of the assesment or collection thereof; *provided, however*, that the aggregate amount of the contract or contracts so entered into shall not exceed seventy-five per centum of the amount of money so ordered to be assessed or collected for road tax in any one year; *and provided, further*, that when contracts have been entered into to the full amount hereinbefore specified, then no other contracts shall be entered into until the previous ones have been fully completed, and all the obligations thereunder fully discharged.

Proviso.

Proviso.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 16, 1886.

CHAPTER CLXXVI.

A Further Supplement to an act entitled "An act concerning taxes," approved April fourteenth, one thousand eight hundred and forty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in all cases where any tax warrant has been or shall hereafter be issued for the collection of taxes in any city of this state, and the officer receiving the same has neglected or failed to execute or return the same, or to collect the said taxes or any part thereof thereby directed to be collected, within the time now limited by law, the justice of the peace or other officer who issued the said warrant, or in case of his death or inability, or the expiration of his term of office, then any other justice of the peace of the county where the city is situate, or the successor of such other officer, shall, at the request of the board or body having charge or control of the finances of the city, issue alias or pluries warrants for the collection of any such taxes as shall remain uncollected under the previous warrant, which said alias or pluries warrant shall be good and effective for that purpose, and shall be executed in like manner as is provided in the case of original warrants, and shall be directed and delivered to such constable or other collecting officer of the city as the said board or body having charge or control of its finances may designate, or such special constable or collecting officer as may be appointed by the said board or body for that purpose; and such constable or special constable or officer so designated or appointed, after giving bond for the faithful performance of his duties with such security as the said board or body may direct and approve, shall, in the execution of the said warrant, have the same powers and perform the same duties, and be subject to the same liabilities and forfeitures, and receive the same compensation as is now

How tax
collected when
officer fails to
execute
warrant.

provided for similar services in the execution of original warrants for the collection of taxes in such city.

Repealer.

2. *And be it enacted*, That all acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and this act shall take effect immediately.

Approved April 16, 1886.

CHAPTER CLXXVII.

A Supplement to an act entitled "An act to incorporate benevolent and charitable associations" [Revision], approved April ninth, one thousand eight hundred and seventy-five.

Who may
become
incorporated.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any trades assembly, labor union or other society of workmen associated together for lawful mutual aid and protection, may become incorporated under the act to which this is a supplement, in the same manner and with the same powers as are in said bill set forth and provided.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 16, 1886.

CHAPTER CLXXVIII.

An Act to enable boards of commissioners and improvement commissions in town and villages, or within townships in this state, to enforce their ordinances respecting the laying and repairing of sidewalks, and to collect assessments for the cost and expenses thereof.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in case any owner of lands in front of which any sidewalk is required by ordinance of any such board of commissioners or improvement commission to be graded, laid, flagged, repaired, curbed or improved, shall neglect or refuse to cause said work to be done within thirty days from notice of such ordinance, such board of commissioners or improvement commission may have said work done at the expense of the owner of said land, and in addition to any powers now possessed for enforcing such ordinance, may either recover from said owner the amount of the cost and the expenses thereof by suit, in any court of competent jurisdiction, in an action of debt or upon contract, or may assess said cost and expenses upon the lot or tract of land in front, or, if such lands lie on a corner of any street, in the side thereof of which the work may be done, and certify said assessment, together with a short description of said land, to the collector who collects the other taxes within said commission limits, and cause a copy of said certificate to be filed in the office of the clerk or register of the county, and recorded in the book of returns of unpaid taxes for the township wherein said lands are situate; and the amount of said costs and expenses shall, from the date of the filing of said certificate, be a first and paramount lien on said lands for the space of two years.

Commissioners to have work done on refusal or neglect of owners.

Work done at expense of owners, and how collected.

Costs and expenses to remain a lien.

2. *And be it enacted*, That said collector shall forthwith, upon receiving such certificate, serve notice of said assessment.

Collector to notify owner of assessment.

ment upon the owner of the said land, and demand payment thereof, together with interest at the rate of one-half per centum per month till paid; and in case the said owner shall fail or neglect to make such payment on demand, the amount of said assessment shall be added to the annual taxes assessed on said lands, and shall be part of the same, and be collected by said collector, with interest as aforesaid, in the same manner as said other taxes are collected and as part thereof, at the time of the annual collection of taxes succeeding the receipt of such certificate; and payment thereof may be enforced by sale of the lands described in such certificate in the same manner as payment of other taxes is enforced.

3. *And be it enacted*, That notice of the ordinance mentioned in the first section of this act, and also notice by the collector and demand of payment of such assessment, may be given either by personal service of a copy of said ordinance or of said notice and demand, as the case may be, or by leaving such copy thereof at the residence of said land owner, if residing within the limits of the jurisdiction of said commissioners, or if a non-resident, by mailing said copy to his post office address, if known, and by publication once a week for three weeks in one of the newspapers published within said commission limits, the cost of such publication to be added to said assessment and collected therewith.

4. *And be it enacted*, That upon payment of said assessment it shall be the duty of the clerk or register in whose office any such certificate as is mentioned in the first section of this act may be filed to discharge the same from the record of the book of tax returns in his office, upon filing with him the receipt of the payment of said assessment made by said commission, or by the collector by whom the same may have been collected, for which service said clerk or register shall be paid the sum of twenty cents.

5. *And be it enacted*, That this act shall take effect immediately.

Passed April 16, 1886.

Failure of owner to pay, amount to be added to annual taxes.

Payment of, how enforced.

Notices of ordinance and assessment, how served.

Upon payment of assessment, clerk to discharge record.

Fee of clerk.

CHAPTER CLXXIX.

An Act concerning cities, authorizing the building of sewers.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for any city to expend not more than fifty thousand dollars in one year, forty thousand dollars in the next succeeding year, and thirty thousand dollars in the third year, for the purpose of constructing sewers in such city; *provided, however,* Amount authorized to be expended for constructing sewers. that any such sewer shall not be so constructed as to at any time empty or discharge any of its contents into any river, creek, stream, lake, pond or water-course, the waters of which are used for or connect with the waters of any river, creek, stream, lake, pond or water-course used for the supply of water to any aqueduct, water-main, pipe or reservoir of any city, town, township or municipality of this state. Proviso.
2. *And be it enacted*, That in order to pay the expenses of building such sewers, any such city may issue bonds Cities may issue bonds to pay the expense of building sewers. bearing interest at not more than five per centum per annum, which bonds shall be payable in not less than one year nor more than ten years, at the option of the city; and that the order of the payment of said bonds shall be the same as the order of the numbers of the bonds, and that the said bonds shall be called in and paid off as frequently and whenever moneys shall be received from assessments of benefits or from taxes sufficient to pay off one or more of said bonds; and that all moneys received from assessments of benefits for said sewers shall be Assessments for benefits to be applied in payment of bonds issued. immediately applied in payment of such bonds, and such money shall not be used for any other purpose whatever.
3. *And be it enacted*, That the costs and expenses of building such sewers shall be assessed upon the property benefited thereby in proportion to the benefits received, Costs and expenses to be assessed upon property benefited. in the same manner as the costs of street improvements

Proviso. are now assessed in any such city; *provided*, that no lot or parcel of land shall be assessed for more than it is benefited; *and provided, also*, that in case the total amount of benefits so assessed upon the property benefited shall not equal the whole amount of the bonds issued for the payment of the costs of said sewers, as provided for in the preceding section, the difference shall be paid by the city at large in the manner provided for in section five of this act.

Assessments to bear interest and to be paid in ten equal installments.

Proviso.

4. *And be it enacted*, That the assessment of benefits made in pursuance of the previous section shall bear interest at the same rate as other assessments in said city from and after the end of sixty days following the confirmation thereof, and unless sooner paid, shall be payable in ten equal annual installments, which, together with the interest on all unpaid installments, shall be due and payable on the first day of June in each year; *provided, however*, that any such assessment may be paid off at any earlier time if the property owner may so desire; and in case of the failure of any property owner to pay any such installment and interest within sixty days after it shall become due, the said lands may be sold for the collection of such installment or interest in the same manner as in the case of other unpaid assessments or taxes in such city.

How bonds are to be paid representing excess of costs over amount of assessments of property benefited.

5. *And be it enacted*, That for providing for the payment of such bonds as shall represent the excess of the costs of such sewers over and above the total amount of the assessments upon the property benefited, if any such excess there shall be, the whole amount of such excess shall be divided into nine equal parts, and a sum of money equal to the amount of one of such parts and the interest on the other parts remaining unpaid shall be raised by taxation in each year, and that one-ninth part of the bonds representing the excess of the costs over the benefits assessed on the property benefited shall be paid off by the city in each year after the first year.

Act not to apply until submitted to legal voters, &c.

6. *And be it enacted*, That this act shall not apply to or affect any city until the same shall have been first submitted to the legal voters of such city for their approval, either at an annual municipal election or at a special election especially ordered by city council or other governing body of such city for that purpose, and of which election

at least twenty days' notice by publication in all the newspapers published in such city shall have been given, and unless this act shall have been approved by a majority of all the votes cast at such election.

7. *And be it enacted*, That this act shall take effect immediately.

Approved April 16, 1886.

CHAPTER CLXXX.

A Further Supplement to an act entitled "An act for the more easy partition of lands held by co-partners, joint tenants and tenants in common" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in any proceedings in the court of chancery for the partition of lands, all inchoate estates of dower in lands ordered by the chancellor to be sold therein may be sold by the order of the court, and in such case, the court shall direct one-third of the net proceeds of the sale of the share or shares in such lands as are subject to such dower to be invested, and the income thereof, during the lifetime of the tenant in fee of such share or shares, to be paid to such tenant or to the lienors upon such share or shares; and upon the death of such tenant said income shall be paid to the tenant in dower during her life, and upon her death, the court shall order the principal of said fund to be paid to the heirs-at-law of the tenant in fee, or to parties holding liens upon the said share or shares at the time of the sale thereof and remaining unsatisfied at the death of the tenant in dower, as equity may require.

Chancellor
may order
inchoate
estates of
dower in lands
to be sold and
one-third of
proceeds
invested.

Income, to
whom paid.

Principal, to
whom paid.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 16, 1886.

CHAPTER CLXXXI.

A Supplement to an act to repeal the first section of an act entitled "An act for the protection of fish," approved April sixteenth, one thousand eight hundred and eighty-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the first section of said act, which reads as follows :

Section to be amended.

"1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall not be lawful to cast or draw any seine or net of a mesh of smaller size than four and one-half inches, in the Delaware river, above the foot of Trenton falls, between the first day of April and the fifteenth day of June, in each year; and it shall not be lawful to cast or draw any seine or net in said river, above the foot of Trenton falls, between the fifteenth day of June and the first day of November, in any year, excepting small mesh nets used for the purpose of catching bait and known as minnow nets, be and the same is hereby repealed," is hereby amended to read as follows :

When unlawful to cast or draw with net in Delaware river above Trenton falls.

[1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall not be lawful to cast or draw any seine or net of a mesh smaller in size than four and one-half inches, in the Delaware river, above the foot of Trenton falls, between the first day of April and the fifteenth day of June, in each year; and it shall not be lawful to cast or draw any seine or net in said river, above the foot of Trenton falls, between the fifteenth day of June and the first day of November, in any year, excepting small mesh nets used for the purpose of catching bait and known as minnow nets.]

2. *And be it enacted*, That this act shall take effect immediately.

Passed April 16, 1886.

CHAPTER CLXXXII.

An Act providing for sewerage in and from certain towns
in this state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever any town in this state is or may be so located that one or more large unimproved and intervening tract or tracts of land lie between said town and tide-water, and by reason thereof no main outlet sewer or sewers can be constructed from said town across or through said tract or tracts of land without either the consent of said land owner or owners and the municipal authorities (if any) intervening between said town and tide-water, or first legally acquiring, at large expense, the lands and outlets necessary for said sewer or sewers, and said owner or owners of said intervening tract or tracts may hereafter determine, in the improvement of their said lands, to construct and build, at his or their own expense, one or more main or outlet sewer or sewers, and of such size, dimensions and kinds as such land owner or owners may deem sufficient for the proper drainage and sewerage of his or their said land or lands, in, through and from the same to said tide-water or to some other sewer or sewers running to said tide-water, he or they furnishing or securing the necessary lands and outlets for the same, and procuring such municipal or other consent thereto as may be necessary, and, in that event, it might be to the great advantage and benefit of any such town, or one or more portion or portions thereof, that the said proposed sewer or sewers be built and constructed in such manner and style, and of such increased extent, size and dimensions, with the necessary laterals and appurtenances, as to afford and provide one or more main outlet sewer or sewers and the necessary drainage and sewerage, not only for said land or lands of such owner or owners, but for so much of the drainage area of said town as can or may be

Authorities
empowered
to enter into
contract for
construction
of sewers and
drainage of
lands, &c.

drained by or into the same; it shall be lawful in any such case, and all the necessary power and authority is hereby granted, for the town council or governing body of any such town in this state, if deemed for the best interest of said town or any portion thereof, to make and enter into a contract or agreement in the name of said town for the building and construction of the same as hereinafter provided.

Owners may prepare plan and map of main outlet sewer, &c., and submit same to authorities.

2. *And be it enacted*, That upon the determination in any such case of any such land owner or owners to build and construct one or more main sewer or sewers in, through and from said intervening tract or tracts of land to tide-water, or to some other outlet sewer or sewers leading to tide-water as aforesaid, the said land owner or owners may cause to be prepared a plan and map showing the position, size and extent of the main outlet sewer or sewers intended to be built and constructed by said land owner or owners and the necessary laterals and appurtenances, and the location and extent of the lands in said town from which with proper connections water and other drainages can or may drain into said sewer or sewers, and submit the same to the town council or other governing body of said town for its consideration, and said town council or other governing body shall forthwith file the same in the clerk's office of the said town, there to remain at least ninety days.

Map to be filed with town clerk.

Town council may prepare plan and maps of sewers, &c., and submit same to land owners.

3. *And be it enacted*, That said town council or other governing body of said town may then cause to be prepared a plan and maps, showing to what extent (if any) said main outlet sewer or sewers should be extended in and through said town, and what laterals and necessary appurtenances should be made in connection therewith, and what the style, size, dimensions and details of the same should be, in order to afford the necessary drainage and sewerage for so much of the drainage area of said town as may be drained by or into the same, and submit the same to said land owner or owners for his or their consideration; and said town authorities and said land owner or owners shall then have the right and authority to jointly consider the whole matter, and change and revise said plans and maps and finally fix upon such joint plan and maps for the said improvement or improvements.

as they may mutually determine upon, all of which said plans and maps shall thereupon be filed in the clerk's office of said town, there to remain at least sixty days.

4. *And be it enacted*, That thereupon and in order that said town and the property owners of the lands in said town lying within the drainage area of said proposed sewer or sewers and necessary laterals, and the said land owner or owners submitting said plans and maps may know the probable cost of said improvement or improvements, and the proportion of the said probable cost which should and will be payable by the said town and the said land owner or owners submitting said plans, any justice of the supreme court, upon application by said town council or other governing body of said town by petition (upon ten days' notice in writing to said land owner or owners submitting said plans and maps), shall appoint three disinterested persons, non-residents of said town, as commissioners, who, after taking an oath before a master in chancery of New Jersey faithfully to perform their duties under this act, may employ such engineer, surveyor and assistants as may be required, and shall examine into the whole matter and ascertain, estimate and determine, and (after such written or published notice to all persons interested as said commissioners shall fix and prescribe) report in writing what the probable cost of said improvement or improvements, including all the costs and expenses touching or relating thereto, will be, and what proportion of the same should be justly and fairly borne and paid by said town, and what proportion thereof should be borne and paid by said land owner or owners submitting said plan and maps, and shall cause to be prepared a map or maps showing the location and extent of the lands from which, in their judgment, with proper connections, water and other drainage or sewerage can or may drain into said sewer or sewers, which lands shall be esteemed and known as the drainage area for said sewer or sewers, and shall file said report, map or maps in the clerk's office of said town, with a detailed statement of their expenses paid or incurred therein, which statement, after being approved by said justice of the supreme court, or in case of his death or removal, by some other justice of said court, shall be forthwith paid,

Justice of
supreme court
to appoint com-
missioners.

Commis-
sioners to take
oath.

Commis-
sioners to
estimate and
determine
cost of im-
provement,
and prepare
map.

Map, &c.,
where filed.

together with the compensation of said commissioners, as allowed by said justice, by said town and said land owner or owners submitting said plans and maps in equal proportions.

Notice of filing report, &c., to be published.

Owners of land may dissent to proposed sewers, &c.

Town council may enter into contract for construction of sewers, &c.

Proviso.

Proviso.

5. *And be it enacted*, That after the filing of said report and map or maps, said town council or other governing body shall cause a notice of the filing of said plans, maps, estimates and report to be given by publication in one or more daily or weekly newspapers circulating in the neighborhood of the lands in the said drainage area for at least three weeks, once in each week, and by posting a like notice in ten conspicuous places in the said drainage area for the same period; and that the owners of the lands in said town lying within said drainage area may or can, within thirty days after the date of said notice, file with the clerk of said town their written dissent to said proposed sewer or sewers, laterals and appurtenances; and unless the owners of a majority of the lands in said town lying within said drainage area shall so dissent thereto as aforesaid within said thirty days, the said town council or other governing body of said town shall have the right, if deemed for the best interests of said town, or any portion or portions thereof, and all the necessary power and authority is hereby granted to make and enter into a contract or agreement in the name of said town, either with said land owner or owners, or jointly with the said land owner or owners with any other person or persons for the construction by said land owner or owners, or such other person or persons, of such sewer or sewers and necessary laterals and appurtenances, upon such conditions, in such manner and of such style, size, dimensions and details as set forth in said plans and maps mutually determined upon as aforesaid, and at such cost as may be agreed upon, and for the payment by said town to said land owner or owners, or such other person or persons, of such proportionate part of the cost thereof as may also be agreed upon; *provided, however*, that the amount agreed to be paid by said town shall not exceed the proportion of the estimated cost which should be borne and paid by said town, as set forth in the aforesaid report made by said commissioners; *and provided, further*, that any such sewer shall not be so constructed as to at

any time empty into or discharge any of its contents into any creek, stream, lake, pond or water course, the waters of which are used for or connect with the waters of any river, creek, stream, lake, pond or water course used for the supply of water to any aqueduct, water-main or reservoir of any city, town, township or municipality of this state.

6. *And be it enacted*, That no contract as provided for in section five of this act, shall be made and entered into between said town and said land owner or owners, jointly, of the one part and any other person or persons of the other part, excepting upon advertisements in one or more newspapers, printed and published in the county wherein said town is located, for proposals for furnishing all the materials and doing all the required work; but said town and said land owner or owners shall be under no obligation to award the said contract to the lowest bidder, and may, if deemed for their best interests, reject all bids.

Contracts, &c.,
to be advertised.

7. *And be it enacted*, That upon the completion of any such main outlet sewer or sewers and laterals, as herein before in this act provided, the said town shall have the right, power and authority to connect with said main outlet sewer or sewers, and any laterals thereto, all the sewers and laterals in, through and from all the said drainage area of said town drained by said main outlet sewer or sewers; *provided, however*, that if said main outlet sewer or sewers are constructed by said land owner or owners, under said agreement or contract, the said town shall not have the right, power and authority as aforesaid to connect as aforesaid with said main outlet sewer or sewers, outside of said town, so much of said main sewer and sewers and laterals as lie within the limits of said town, until it shall have first paid to said land owner or owners, its part of the cost thereof agreed to be paid by said town.

Main outlet
sewers may be
connected
with other
sewers.

Proviso.

8. *And be it enacted*, That in order to raise the proportion of the cost and expense agreed to be paid by such town towards the construction of said sewer or sewers, or outlet thereof, it shall be lawful for the town council or other governing body of said town to issue bonds in the corporate name of such town in such amount as may be necessary for that purpose, which bonds shall bear inter-

Authorities
empowered to
issue bonds.

est at a rate not exceeding six per centum per annum, and shall be payable in not more than twenty years, and shall not be sold or disposed of for less than their par value.

Costs and expenses of constructing sewers to be assessed by commissioners upon lands benefited.

9. *And be it enacted*, That of the proportion of the costs and expense of constructing said sewer or sewers and the cost and expense of making the assessment herein provided for, paid by said town, there shall be assessed by three commissioners (as hereinafter mentioned), upon all the lands and real estate, and each separate lot, tract or parcel of land in said drainage area, lying within the limits of said town, benefited, such portion thereof as will be equal to the amount of the benefits actually acquired by such land and real estate, and each lot, tract or parcel of land, from said necessary sewer or sewers, laterals and appurtenances, proportioned equitably to the amount so as aforesaid paid by said town and to the benefit each piece or parcel of land shall be deemed to have acquired from said sewer or sewers, necessary laterals and appurtenances, and said amount paid by said town; *provided*, that no land or real estate shall be assessed any more than the special benefit actually received; *and provided*, *further*, that whenever the benefits of such main sewer or sewers or outlet are or shall be extended to other property in such town by the building of lateral or connecting sewers, there shall be assessed upon such property a just and equitable portion of such costs and expenses as hereinbefore provided, not exceeding, however, the special benefits derived therefrom by such property, which assessment may be made in connection with an assessment for such lateral or connecting sewers or as an independent assessment.

Proviso.

Proviso.

Application for appointment of commissioners to be advertised.

10. *And be it enacted*, That the commissioners in the ninth section of this act mentioned shall be appointed by the circuit court of the county wherein such town is or may be located, on application in behalf of the council or other governing body of such town, who shall cause two weeks' notice of the time and place of such application to be given by publication thereof, at least once in each week, in some daily or weekly newspaper published in said town, if there be any such, and if not, in some such newspaper published in the said county, at which time

and place, upon satisfactory evidence of the due publication of such notice, the said court shall, without unnecessary delay, appoint three disinterested persons, who shall be freeholders in said county, as such commissioners, and who shall each, before they enter upon the execution of their said duties required of them, severally take and subscribe an oath or affirmation before an officer authorized to administer oaths and affirmations, to make the said assessment required of them fairly, legally and equitably, according to the best of their skill and understanding.

11. *And be it enacted*, That after said commissioners shall have made their assessment, as provided for in said ninth section, they shall make a report to the said court of their said assessment, together with a map and schedule showing all the lands and real estate and each lot, tract or parcel of land in said town assessed, and the names of the owners thereof, as far as the same are known to the said commissioners (but no assessment shall be deemed defective by reason of any mistake in the names of said owners, or from omitting said names or any of them), and upon the coming in of such report signed by the said commissioners, or any two of them, the said court shall cause such notice to be given as it shall direct of the time and place of hearing any objection that may be made to such assessment; and after hearing any matter which may be alleged against the same, the said court shall, by rule or order, either confirm the said report, or, if deemed necessary, refer the same to the same commissioners for revision and correction, or to new commissioners to be appointed by the said court, to reconsider the subject-matter thereof; and the said commissioners to whom the said report shall be so referred, shall return the same report corrected and revised, or a new report to the said court without unnecessary delay; and the same, on being so returned, shall be confirmed or again referred by the said court in manner aforesaid as right and justice shall require, and so from time to time until a report shall be made or returned in the premises which the said court shall confirm, and such report, when so confirmed by said court, shall be final and conclusive upon the owners of all lands and real estate affected thereby; and the said

Commissioners, how
and by whom
appointed.

Commissioners to
make report
with map, &c.

Proceedings in
case of objec-
tion to report.

Upon confirm-
ation of report
to be final and
conclusive.

court shall thereupon cause a certified copy of said report to be transmitted to the town clerk of said town, with a certified copy of the rule of said court confirming said report, and the town council or other governing body of said town shall thereupon proceed to the collection of said assessment as authorized by law.

Costs and expenses and compensation of commissioners, how ascertained and by whom paid.

12. *And be it enacted*, That said cost and expense of making said assessment, as provided for in the ninth section of this act, and that must necessarily be incurred therein, shall be ascertained by said commissioners, and together with their own compensation, which shall be fixed by said circuit court, shall be paid by said town, and the amount thereof, so far as possible, shall be included in said assessment or assessments made under the provisions of this act.

Vacancies, how filled.

13. *And be it enacted*, That in case of the death, resignation, refusal to serve or disability of any commissioner appointed under the provisions of this act, the vacancy shall be filled in the same manner as provided for the appointment of such commissioner.

Assessments to remain a lien until paid.

14. *And be it enacted*, That any assessment made or levied under this act shall be and remain a lien upon the lands assessed until paid, and such assessments may be collected and the payment thereof enforced in the manner prescribed by law with respect to assessments for other improvements in said town.

Moneys received for assessments, how applied.

15. *And be it enacted*, That all moneys received in payment of assessments made under the provisions of this act shall be kept, held and applied to and for the redemption of bonds issued under this act, and shall be used for no other purpose whatever.

Main sewer to be kept in repair at expense of town and land owners.

16. *And be it enacted*, That said main or outlet sewer or sewers shall, after its or their completion, be kept in repair at the joint expense of said town and said land owner or owners jointly constructing said sewer or sewers with said town.

17. *And be it enacted*, That this act shall take effect immediately.

Approved April 20, 1886.

CHAPTER CLXXXIII.

An Act to amend an act entitled "An act to provide for the election of road overseers in their respective districts," approved April twenty-eighth, one thousand eight hundred and eighty-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That at the election provided for in the act of which this is amendatory, the legal voters then and there assembled may, in their discretion, determine by vote of three-quarters of the voters voting at said election what particular road or roads or part of the same within such district shall be macadamized or faced with stone, and also fix the sum of money to be expended within such district for such purpose and the purpose of keeping the roads in such district in repair during the ensuing year, and the sum of money so fixed shall be in lieu of all other road taxes in such district; and within five days after such election the overseer shall give notice to the assessor of the township of the sum so fixed, who shall assess the same upon the taxable property within such district, and the same shall be collected as other road taxes are collected, and paid over to the overseer of such road district for the purposes provided for in this act; and for the assessing and collecting of such tax the assessor and collector shall each be entitled to receive out of the moneys so assessed and collected the sum of five cents for each and every name appearing on the assessor's duplicate of said assessment.

Legal voters to determine roads to be macadamized, and to fix sum of money to be expended.

Sum fixed to be assessed and collected.

Fee of assessor and collector.

2. *And be it enacted*, That all acts and parts of acts inconsistent with this act be and the same are hereby repealed, and that this act shall take effect immediately.

Repealer.

Approved April 20, 1886.

CHAPTER CLXXXIV.

A Supplement to the act entitled "An act for the protection of fisheries in this state," approved March twenty-first, one thousand eight hundred and seventy-four.

- Unlawful to catch or expose for sale black bass or trout of less than a certain length.
- Penalty for violation.
- Prosecutions, how had.
- Penalty for subsequent offenses.
1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall not be lawful for any person or persons, at any time, to catch, kill, sell, use or expose for sale, or have in his or her possession, any black bass measuring less than seven inches in length, or any trout measuring less than six inches in length, except for use in stocking waters of this state therewith, and on license in writing first obtained for that purpose under the hand of one of the fish commissioners; and whoever shall be convicted of violating the provisions of this act shall be punished as provided in the first section of the act to which this is a supplement.
 2. *And be it enacted*, That where any pond, lake or other body of water in this state shall be partly in one county and partly in another, prosecutions for offenses against any of the laws of this state prohibiting or regulating fishing therein may be had in either county.
 3. *And be it enacted*, That whenever by any of the laws of this state regulating fishing in the waters thereof a fine or penalty of twenty-five dollars is prescribed for the violation thereof, and any person shall, after conviction for one offense against any of said laws, be guilty of a subsequent like offense against the same, he shall, on conviction for every such subsequent offense, be liable to a fine or penalty of one hundred dollars.
 4. *And be it enacted*, That this act shall take effect immediately.
- Approved April 20, 1886.

CHAPTER CLXXXV.

An Act to incorporate societies for the training of young women for domestic service and providing houses for working women when out of employment or incapacitated for work.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for any religious or other society of women in this state, associated for the purpose of training young women for domestic service and of providing homes for domestic servants and working women when out of employment or incapacitated for work, to become incorporated under and by virtue of the provisions of this act; the president or other head officer of such society for the time being, and three trustees, members of such society, who shall be elected by a majority of the members of such society, may sign a certificate, the name by which they and their successors shall be known and distinguished, and transmit said certificate to the clerk of the court of common pleas of the county in which such society shall be located, whose duty it shall be forthwith to file and record the same, for which he shall be entitled to receive one dollar, and thereupon such society shall be a body corporate by the name or title so taken, certified and recorded.

Societies may become incorporated.

Certificate, what to contain and to be filed and recorded in county clerk's office.

2. *And be it enacted*, That the persons so signing said certificate shall be the trustees of such corporation, and they and their successors shall, by such corporate name, have succession and continuance and power to sue and be sued, plead and be impleaded, answer and be answered unto in all courts and places whatsoever, to make and use a common seal and alter and renew the same at pleasure, and to purchase and take, have, hold, receive and enjoy any lands, tenements and hereditaments in fee-simple or otherwise, and any goods, chattels or property of any description, real or personal, and whether acquired by gift,

General powers.

grant, devise, bequest or otherwise, and the same to grant, convey, lease, assign, sell or otherwise dispose of for the purposes of said society.

Incorporations
may adopt
by-laws, &c.

3. *And be it enacted*, That incorporations under this act shall be authorized to make, adopt and use, and from time to time alter, amend or change such general form of a constitution and such by-laws for their government as to them shall seem right and proper; *provided*, that nothing in such constitution or by-laws be repugnant to the constitution or laws of the United States or of this state.

Proviso.

Election of
officers and
trustees.

4. *And be it enacted*, That the officers and trustees of such corporation shall be elected or appointed in such manner and at such times and in such places as the said corporation shall, by its constitution or by-laws, provide.

Act may be
amended or
repealed, &c.

5. *And be it enacted*, That the legislature may at any time alter, modify or repeal this act, and may also annul or repeal the charter of any association incorporated under and by virtue of the provisions of this act.

6. *And be it enacted*, That this act shall be deemed a public act and shall take effect immediately.

Approved April 20, 1886.

CHAPTER CLXXXVI.

A Supplement to the act entitled "An act to prevent the adulteration and to regulate the sale of milk," approved March fourteenth, one thousand eight hundred and eighty-two.

* Appointment
of state
inspector of
milk discon-
tinued, and
state dairy
commis-
sioners em-
powered and
directed to
assume duties.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the appointment of a state inspector of milk, provided for in section nine of the act to which this is a supplement, be and the same is hereby discontinued, and that the state dairy commissioner shall be and is hereby empowered and directed to assume all the duties, privileges and powers conferred on said state inspector of milk in section nine of the act to which this

is a supplement; *provided*, that said dairy commissioner Proviso. shall not receive the salary, or any portion thereof, heretofore provided for said state inspector of milk.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 20, 1886.

CHAPTER CLXXXVII.

A Supplement to an act entitled "An act for the formation of borough governments," approved April fifth, one thousand eight hundred and seventy-eight.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That a borough government may How borough governments may be formed. be formed under this act, and the act to which this is a supplement, by the inhabitants of any portion of this state now subject to the government of commissioners or a police and sanitary board, or any other form of municipal government other than that of an incorporated city or town, provided an application therefor shall be made to any justice of the supreme court or presiding judge of the court of common pleas of the county where such proposed borough is to be situate, setting forth the name of the proposed borough, signed by the owners of at least one-half in value of the taxable real estate within the limits of the proposed borough, as the same appears by the last duplicate of the assessor whose duty it is to assess the property in the territory in the proposed borough; *provided*, that due notice of such application shall be Proviso. advertised at least ten days previous to its being made, by bills posted in not less than five public places in the municipality, and by notices inserted in two successive issues of a newspaper published in such municipality, or, if there be none, in the one published nearest.

2. *And be it enacted*, That the inhabitants of the territory embraced in the said proposed borough shall be a Borough to be a body politic and corporate. body politic and corporate in fact and in law.

Act to take effect when accepted by legal voters at a general or special election.

3. *And be it enacted*, That this act and the act to which this is a supplement shall take effect, whenever, at a general election or a special election to be called for that purpose, as hereinafter provided, the legal voters residing within the said municipality at the time of the said special election shall accept the powers conferred by this act and the act to which it is a supplement, such acceptance to be shown by the votes of a majority of those voting at said election.

Special election, by whom called and when held.

4. *And be it enacted*, That the special election shall be called by the justice or judge to whom the application has been made as aforesaid, at a time to be named by him not more than thirty days from the date of said application, to be held at the usual polling places within the municipality, by notice in writing under his hand, which notice shall contain an accurate description of the name and boundaries of the proposed borough, and state the object of the said election to be to vote for or against the incorporation of the said proposed borough, under the provisions of this act and the act to which this is a supplement; which notice shall be set up at least ten days previous to said proposed election, in five of the most public places within the said municipality, and published at least twice in a newspaper printed and published within the said municipality, if any, or if none is so published, then in a newspaper printed and published in the county wherein said proposed borough is situated.

Notice of election to be posted up and published in newspaper.

Election, how and by whom conducted.

5. *And be it enacted*, That the polls shall open and close at the same hours as at general elections in this state, and the election shall be conducted as nearly as may be in like manner as general elections are conducted; the ballots cast shall contain the words, "for incorporation" or "against incorporation," as the case may be; at the close of the polls, the said clerk and inspectors shall canvass the votes cast, and if a majority of said votes shall be for incorporation, they shall forthwith certify the result of said election and the number of votes cast for and against, under their hands, to the clerk of the county wherein said borough is situated, to be filed in his office; and from the time of filing said certificate in the office of the clerk of the county, as aforesaid, the inhabitants of said proposed borough shall be a body corporate, in fact

Result of election to be certified and filed with county clerk.

and in law, under the name of "The Mayor and Council of the Borough of _____," and by said name shall have perpetual succession, sue and be sued, prosecute and defend in all courts of law and equity in this state, have a common seal and alter the same at pleasure, and purchase, hold and convey real and personal property for the use and benefit of said borough; the persons voting at such elections shall be those qualified to vote at elections for members of the legislature in this state.

Corporate
name, &c.

Who entitled
to vote.

6. *And be it enacted*, That within thirty days next after the filing of the certificate of the result of the election aforesaid in the office of the clerk of the county, and on the first Tuesday of May annually thereafter, the legal voters of said borough shall assemble at some convenient place in the said borough, at the hour of two o'clock in the afternoon, and those so assembled may, by viva voce vote, proceed to elect a judge and two inspectors to conduct an election for a mayor and six councilmen, being residents and legal voters in said borough, who shall constitute the council of said borough; at the first election two councilmen shall be elected for one year, two for two years, and two for three years, and two councilmen shall be elected annually thereafter to serve for three years; the mayor shall hold his office for one year; and at the same time shall elect an assessor and collector, who shall hold office for the term of one year; the said collector of taxes shall enter in suitable books to be kept for the purpose the sums received by him for taxes respectively with the names of the persons on whose account the same shall be paid each day.

Legal voters to
assemble and
elect officers of
election to
elect mayor
and council-
men.

Term of office
of mayor,
councilmen,
assessor and
collector.

7. *And be it enacted*, That the judges and inspectors so chosen, having first taken and subscribed an oath or affirmation honestly and impartially to hold and conduct said election, shall forthwith open the polls for the election of the officers aforesaid; the said election shall be by ballot, and shall be conducted in same manner, as nearly as may be, as elections for members of the legislature are conducted; the persons voting at said election shall be those who are qualified to vote at elections for members of the legislature in this state; the polls shall remain open until seven o'clock in the evening, and at the closing of the polls the judge and inspectors holding

Election, how
held and by
whom con-
ducted.

Judges of election to certify result.	said election shall canvass the votes cast and certify the result, with the number of votes cast for each candidate, to the clerk of the county wherein said borough is situated, and shall also deliver a copy of said certificate, under their hands, to the clerk of the borough.
County clerk to give notice of first election.	8. <i>And be it enacted</i> , That the clerk of the county wherein said borough is situated shall give notice ten days previous to the first election under this act, of the time and place of holding the same, by advertisements signed by himself and set up in five public places in said borough, and also published at least once in a newspaper printed and published in said borough, if any, or if none be so published, then in a newspaper printed and published in the county wherein said borough is situated;
Proviso.	and of all subsequent elections the borough clerk shall give the like notice; <i>provided</i> , that after the first election the council may, by ordinance, fix a place for holding said elections.
Mayor and council to meet and appoint clerk.	9. <i>And be it enacted</i> , That after the first election the mayor and council then elected shall assemble in some convenient place, and having first taken and subscribed an oath or affirmation before some person authorized to administer an oath, well and faithfully to perform the duties of their respective offices, which oath or affirmation shall be filed with the borough clerk, shall proceed to appoint some suitable person resident in the borough to be borough clerk, who shall hold his office at the pleasure of the council, and shall attend all meetings of the council, keep a correct record of all their proceedings and perform such other duties as the council may require of him or as may be directed by this act, and upon the appointment of his successor shall deliver to him all books, papers and property of the said borough in his possession or under his control; the mayor and council shall hold their respective offices until their successors are qualified, and every person elected as mayor or councilman shall take an oath or affirmation, as hereinafter provided, before he enters upon the duties of his office.
Duties of clerk.	
Mayor and council to hold office until successors are qualified.	
Mayor to have powers and jurisdiction of justice of the peace.	10. <i>And be it enacted</i> , That the mayor of said borough shall have, by virtue of his office, the same jurisdiction in criminal matters as is now possessed by justices of the peace, together with such other powers as may by this

act, and the act to which this is a supplement, be specially conferred upon him, and shall have power to arrest without process, or to issue his warrant for the arrest of any person guilty, or whom he may have reason to believe guilty of any breach of the peace or violation of any ordinance of the said the mayor and council of the borough of _____, and to try and determine all causes and complaints aforesaid, and is hereby authorized and empowered to commit any person so offending to the lock-up of the said borough for any time in his discretion not exceeding ten days, or to impose a fine not exceeding twenty dollars, or both; he shall keep a record in a book to be provided for that purpose, of all proceedings and convictions before him under this act, or the act to which this is a supplement, and shall hold all fines and penalties subject to the order of the council; all writs or warrants by him issued may be directed to one of the marshals of the borough or to any constable of the county, who shall duly execute the same.

11. *And be it enacted*, That the mayor and council shall meet at such time and place as they may by their by-laws direct, and two members of the council and the mayor shall constitute a quorum for the transaction of business, but a smaller number may meet and adjourn from time to time; all meetings shall be presided over by the mayor, but he shall not vote except to give the casting vote in case of a tie; in the absence of the mayor, the three members of the council shall constitute a quorum, one of whom may be appointed to preside.

Quorum, how constituted.

Mayor to preside at meetings.

12. *And be it enacted*, That the thirteenth section of the act to which this is a supplement be amended so as to read as follows:

Section amended.

[13. *And be it enacted*, That the legal voters of the said borough, at each election for mayor and councilmen under this act shall, by vote and upon the same ballot used in voting for the officers aforesaid, designate an amount of money to be raised for borough purposes, which sum so designated, being certified upon the returns of said election, shall be assessed and collected under the name of borough tax in the manner hereinafter provided; *providing, nevertheless*, the sum so designated shall not exceed the amount to which the property was subject for

Legal voters to designate on ballot amount of money to be raised for borough purposes.

Proviso.

borough or commission purposes prior to the passage of this act.]

On adoption of this act members of governing board to continue in office until end of term.

Collector to act as treasurer, his powers, duties and compensation.

13. *And be it enacted*, That in all places adopting this act, the present members of the governing board shall continue in office until the expiration of the term for which they were elected or appointed.

14. *And be it enacted*, That the collector, who shall act as treasurer, shall give bonds satisfactory to the said board, possess the powers and perform the duties, and be subject to the same penalties as the collectors of the several townships in this state, and shall receive all moneys assessed in said borough, and for said services he shall receive a yearly compensation not to exceed three hundred dollars, and in addition thereto, the costs accruing upon collection of delinquent taxes; and upon receipt of the duplicate of assessment of taxes, shall proceed in the collection thereof as is now required by law to be done by the collectors of the several townships of this state.

Duties and compensation of assessor.

15. *And be it enacted*, That the assessor shall possess the same powers and perform the duties in the same manner as the assessors in the several townships in this state, for which services he shall be paid at the same rate and in the same proportion as the assessors of the several townships in this state, and immediately after the first Monday in June in each and every year, shall proceed to make, and, by the fifteenth day of July following, shall have made a full and fair valuation, enumeration and assessment of all the taxable real and personal property in such commission, according to law and the requirements of the ordinances of said mayor and councilmen; and on or before the first Monday in August in each year shall deliver the duplicate of such assessment to the collector.

Officers to take oath.

16. *And be it enacted*, That the persons appointed to the several offices in such borough shall, within twenty days after such appointment, take and subscribe an oath before some officer authorized by the laws of this state to administer oaths, that they will faithfully perform the duties of said offices to which they are appointed, and if any person appointed to any office in such borough shall not so qualify within said time, his office shall be deemed vacant.

17. *And be it enacted*, That in case of vacancy in any subordinate office in such borough, occasioned by death, resignation, inability, disqualification, removal from office, or neglect, or refusal to act, or other cause, it shall be lawful for the said board to appoint others in their stead to fill such office for the unexpired term thereof.

18. *And be it enacted*, That in case said borough or any part thereof shall be formed out of territory within the limits of a former borough or commission, the governing bodies of said boroughs shall meet on the second Monday after said first election of mayor and council, at ten o'clock in the forenoon, at the usual place of meeting of the governing body of said former borough, and afterwards if necessary at such times and places as the majority of those present may determine, and then and there, by writing signed by a majority of each of said governing bodies, allot and divide between said boroughs such property, if any, as may be owned by the said former borough, and also such moneys and assets as may be on hand or due or to become due to said boroughs, in proportion to the taxable property and ratables in said boroughs or commissions respectively, as shall be determined by the last assessment of taxes of the said former borough or commission; and each of the said boroughs or commissions shall be and remain liable to pay its just proportion of the debts and obligations of the said former borough, according to said last assessment as the said debts and obligations shall exist at the first election of said mayor and council, until the same are fully paid and discharged, such proportion of said indebtedness to be assessed on the inhabitants of said boroughs or commissions respectively in the manner provided by law; and if any of the persons composing either of said boroughs or commission shall refuse or neglect to meet as aforesaid those assembled may proceed to make said division, and the decision of a majority of those present shall be final and conclusive.

19. *And be it enacted*, That all acts and parts of acts inconsistent herewith be and the same are hereby repealed, and this act shall take effect immediately.

Approved April 22, 1886.

CHAPTER CLXXXVIII.

- An Act to authorize the building of tunnels under a navigable water-way or basin in cities.

Cities
authorized to
lay out and
construct
tunnel under
waterway or
basin.

Proceedings
for construc-
tion pre-
scribed.

Proviso.

Proviso.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That when, in a city, any street or streets have been improved by such city to or within one hundred feet of any navigable water-way or basin, on both sides of the said basin, and, for any reason it shall be deemed advisable to build a tunnel or tunnels under such water-way or basin to connect such street or streets or parts of streets, at or near the end or ends thereof, with a street or streets or part of streets, or at or near the ends thereof on the opposite or other side of such water-way or basin, in the same city, then it shall be lawful for the board or other authority of such city having cognizance and control of the opening of streets, to lay out and construct a tunnel under such water-way or basin, and under such parts of such streets or adjacent streets, highways or avenues as shall be desirable to make the grade of such tunnel and approaches a practicable one, with the necessary approaches thereto on each side, connecting such street or streets or part of streets with a street or streets or parts of street or adjacent streets or highways or avenues on the opposite or other side of such water-way or basin, in the same city, of sufficient size to accommodate the public travel thereby and therein, instead of over such street or streets or adjacent streets, highways or avenues where such tunnel or its approaches shall be built; the proceedings for the construction shall correspond, as far as practicable, with the proceedings as prescribed by law in such city for the construction of sewers, except that the cost thereof and of the approaches thereto shall be paid by the city at large; *provided*, that such tunnel or tunnels, and the approaches thereof, shall lie wholly within some city of this state; *and provided*, the streets, highways or

avenues of said city have or has been actually opened on each side of said water-way or basin so to be tunneled.

2. *And be it enacted*, That fifty owners of land lying within such city may present to such board an application in writing, designating the place where such tunnel or tunnels and approaches are to be built, and setting forth the particulars, bringing the places within the meaning of the first section of this act, and praying that such tunnel or tunnels and approaches be built; the board may, in their discretion, thereupon proceed to act upon said application in the same manner, so far as practicable, as is now provided by law for proceedings to construct sewers in such city, except that no assessment shall be made, and except that no petition signed by the owners of one-third of the frontage of land along the improvement desired shall be necessary, and except that no remonstrance signed by the owners of property along the improvement desired, shall stop the improvement; and if such board determine to construct such tunnel or tunnels and approaches applied for, or such as may be resolved upon by said board, they may locate the same wholly on private lands, or partly in streets or highways or avenues and partly on private lands; and power and authority to enter upon, open, use and occupy such portion of any such street, highway or avenue in said city, as may be necessary or proper to properly construct such tunnel or tunnels and approaches, is hereby vested in said board.

Upon application of owners of land the board may proceed to construct tunnel.

3. *And be it enacted*, That the costs and expenses of the construction of such tunnel or tunnels and approaches, including the cost of real estate acquired therefor, if any, and the damages, if any, sustained by the owners of property fronting along said improvement, shall be paid by the city, and said city may issue its bonds to the amount necessary to pay the same, which bonds shall be of such denomination, form, terms and conditions, and bear such rate of interest not exceeding six (6) per centum per annum, as shall be determined by the board or body of such city having charge of the finances thereof, and shall be executed under the common seal of the city and the signature of the mayor and other proper officers thereof.

Costs and expenses of construction of tunnel to be paid by the city.

Bonds may be issued.

4. *And be it enacted*, That when any such tunnel or tunnels or approaches shall be located upon any land

City may acquire lands.

Proceedings
for the acquisition
of lands.

Damages to
land-owners,
how ascer-
tained.

Principal of
bonds, how
paid.

Board and
mayor author-
ized to con-
tract with
owners of land
for the con-
struction of
tunnel or
approaches.

other than a highway, avenue or street, or such as has already been acquired by the city, and such land or any easement, right or estate therein shall be necessary for the construction of such tunnel or tunnels or approaches, then it shall be lawful for said city to acquire the said lands in fee-simple or any lesser estate or right therein; the proceedings for acquiring such property shall conform to the proceedings now provided by law for the acquiring of lands for the opening of such streets in such city; in case it shall be necessary to own or take any lands of the state under or above tide-water, or the state's interest therein, it shall be lawful to take and use such lands or interest for said purposes, and the state hereby assents to such taking without compensation; the proceedings to ascertain the damages, if any, sustained by the owner or owners of lands fronting on such improvement, by reason of the building and maintaining such tunnel or tunnels or approaches, shall conform as near as may be to the proceedings now provided by law for the ascertaining the damages sustained by the owners of any property injured by the change of grade of a street where such street has been built upon since the establishing of a former grade in such city.

5. *And be it enacted*, That there shall be placed in the tax levy of such city, annually, a sum not less than two per centum and not more than three per centum of the principal of such bonds, and the same, when collected, shall be paid to the commissioners of the sinking fund of such city; if no such commissioners, then to the other proper authorities of such city, for the redemption and payment of the bonds issued under the authority of this act.

6. *And be it enacted* That the said board first mentioned in this act, with the mayor of such city, are hereby authorized and empowered to enter into contract with the owner or owners of the lands fronting on all or any part of said proposed tunnel or tunnels or approaches, or with any person or persons who may prefer a tunnel to other means of connecting as aforesaid, whereby such owner or persons may themselves build or erect said tunnel or tunnels and approaches, or whereby they may contribute towards the building of the same such sums of money as

in the judgment of such authorities last mentioned may be just and fair, in consideration of the said authorities vacating the whole or any portions of such street or streets over and above and on each side of the proposed tunnel or tunnels or approaches, which vacation said authorities last mentioned are hereby empowered and authorized to do and make in consideration thereof, any law, usage or charter to the contrary notwithstanding; *provided*, that no contract or act of vacation under this act shall impair the public right in any such street or part of street until such tunnel is completed.

City authorities may vacate streets for consideration.

Proviso.

7. *And be it enacted*, That the board authorized to construct such tunnel shall file with the board having the charge or control of the finances of such city, a statement in writing in detail of the estimated cost of such tunnel or tunnels, and of the estimated damages to be paid to property owners by reason of the construction thereof and the approaches; and the last-named board shall, if it agree thereto, concur therein; but until such a statement shall have been filed, to which said last-mentioned board shall have certified its concurrence, no contract or act of vacation under section six of this act shall be made.

Estimated cost of tunnel and damages to owners to be filed, &c.

8. *And be it enacted*, That this act shall take effect immediately.

Approved April 22, 1886.

CHAPTER CLXXXIX.

A Supplement to the act entitled "An act for the relief of creditors against absconding and absent debtors," approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That where an attachment has heretofore been issued or shall hereafter be issued out of the supreme court or any circuit court of this state, by virtue

Court may order persons to appear and furnish evidence of claims.

of which any real or personal estate may have been or shall be attached, and there are conflicting claims, or liens, by way of mortgage, judgments, bills of sale, mechanics' liens, or otherwise, it shall be lawful for the court out of which said attachment issues, or any judge thereof, by rule, order, or otherwise, to have all persons having claims against the property to appear before any supreme court commissioner to furnish before him the evidence of their respective claims to the said courts respectively, which evidence shall be reported by said commissioner to the court out of which said attachment issued.

Court to fix time for hearing and decide as to the validity or priority of claims.

May order sale.

Judgments, when entered and when auditor may make report, &c.

Auditor to take charge of real estate attached, and to collect rents, &c.

2. *And be it enacted*, That said court thereupon shall fix a time when the persons claiming any mortgages, judgments, liens, incumbrances or claims against said property may be heard, and after such hearing decide upon the validity and priority of such liens, and the order in which they shall be paid, and order a sale of said real or personal property, or both, on thirty days' notice of sale, by publication in five public places in the county where the same is situate, and publication in one newspaper printed in the same county.

3. *And be it enacted*, That judgment upon the auditor's report may be entered after three months have elapsed after the execution of the writ of attachment, and that the auditor may make his report at any time after the expiration of three months after the execution of the writ of attachment, and that no formal calling of the defendant in open court shall be necessary, but that his default to appear may be recorded at the second term of the court after the said writ of attachment shall have been executed.

4. *And be it enacted*, That in all cases where real estate has been or shall hereafter be attached under the act to which this is a supplement, the auditor, under the authority of the court or a judge thereof, may take charge of the same and collect for the benefit of the creditors and hold subject to the attachment, the rents, issues and profits thereof, pending the attachment, and for that purpose he shall have power to take possession of any such real estate, and make such lease or leases of the same, not exceeding the term of one year, as he may see fit,

and the court in which any such real estate shall stand attached shall have power to make all orders to assist such auditor in obtaining possession of such real estate and collecting the rents, issues and profits thereof that may be necessary.

5. *And be it enacted*, That this act shall take effect immediately.

Approved April 22, 1886.

CHAPTER CXC.

A Supplement to an act entitled "An act respecting recognizances," approved April sixth, one thousand eight hundred and seventy-six.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That the first section of the act entitled "An act respecting recognizances," be and the same is hereby amended so that the same shall read as follows, viz.:

[1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That every recognizance entered into before any court having criminal jurisdiction in this state shall remain in full force and effect until the cause in which said recognizance shall be entered into shall be finally determined or the same discharged by order of the court; *provided, however*, that every recognizance shall be void and of no effect after four years from the date of the forfeiture thereof.]

Passed April 22, 1886.

CHAPTER CXCI.

An Act to authorize the purchase and condemnation of land and the erection of buildings for market purposes in the cities of this state and other places in which market facilities are or may be required for public use, and to provide therefor.

Cities authorized to appoint commissioners to purchase lands and erect market.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever in the judgment of the common council or other governing body of any city, additional market facilities are or may be required for public uses, it shall and may be lawful for such council or other governing body to appoint five commissioners, who shall serve without any compensation, to purchase such lands and erect suitable buildings thereon, to be used as a public market.

Council may fix a limit to amount to be expended, and require report, &c.

2. *And be it enacted*, That such council or other governing body may fix a limitation upon the amount of money which the said commissioners may expend in the purchase of such lands in the erection of such buildings, and may require a report from them before entering into a contract therefor, with a description of lands to be purchased, and plans of buildings to be erected, for approval, and the said commissioners shall in no case proceed in the purchase of such lands or the erection of such buildings until such approval is obtained, where the same is required.

Commissioners to report if they cannot purchase or agree with owners as to price, &c.

3. *And be it enacted*, That in case it should in any case be found that suitable property cannot be purchased by agreement with the owner or owners, or in case the price demanded by such owner or owners is, in the judgment of the commissioners, in any case exorbitant, and more than a fair equivalent therefor, then the said commissioners shall report the same, with a description of the said lands, to the common council or other governing

body, and the said council or other governing body may order and direct the condemnation thereof.

4. *And be it enacted*, That if the said common council or other governing body shall, in any case, direct the condemnation of any lands, as provided for in the preceding section, the said commissioners shall forthwith apply to a judge of the circuit court of the county wherein which said city or place is situate, for the appointment of three commissioners to make an appraisement of the value of the lands so to be condemned for the purpose aforesaid, and of the damage which any owner or owners of such lands may suffer by reason of the taking thereof.

Proceedings in case common council direct condemnation of lands.

5. *And be it enacted*, That the said commissioners appointed by the circuit court, having taken an oath faithfully and impartially to execute the duties of their office, shall forthwith proceed to estimate and determine the fair value of the lands and real estate so to be taken and condemned as aforesaid, and of the damages which the owner or owners thereof will suffer by reason of the taking thereof, first having given at least ten days' notice in writing to the said owner or owners, either personally or by leaving the same at his or her place of abode, of the time and place when and where they may be heard in relation to the matter; in case any owner shall be an infant, married woman, non compos mentis, or absent from the city or place where such condemnation proceedings are taken, or be from any cause incapacitated to act in this behalf, then notice of the time and place, and object to, of said meeting shall be advertised or other notice given as the said judge may direct, and said meeting or meetings may be adjourned from time to time, at the discretion of said commissioners, and as soon as they shall have determined upon said valuation, they shall make and sign a certificate thereof, and file the same in the office of the city clerk of such city, or at such other place as the said judge may direct; and immediately upon the payment to said owner or owners of the amount of the said valuation, or in case he or they will not or cannot receive the same, upon deposit of the same in such bank or institution as the said court or judge may direct, the title to and the right of possession of such property shall immediately become vested in such city or place; and any owner conceiving himself or herself ag-

Commissioners appointed by court to estimate and determine value of lands, &c.

Commissioners to make and file certificate of valuation of land.

Persons
aggrieved may
appeal.

grieved by the proceedings of said commissioners, may appeal therefrom to the supreme court of this state at any time within sixty days after the filing of the said certificate, and the said court shall thereupon order a trial by jury to assess the value of the said property and the said damages, which trial shall be conducted in all respects as in other cases of trial by jury, and the final judgment of the said court upon the verdict rendered therein shall be conclusive upon all parties as to the said valuation and damages, and the amount already paid or deposited as aforesaid shall be increased or diminished accordingly.

Title to land
taken.

6. *And be it enacted*, That all titles taken for the purposes mentioned in this act, shall be in the name of the city or place in which the lands are purchased, and the buildings erected, by virtue of the provisions of this act.

Compensation
of commis-
sioners, and
how paid.

7. *And be it enacted*, That the commissioners so to be appointed by the said judge of the circuit court, shall receive such compensation for their services as the said judge shall order and direct, and the same shall be paid as well as all other expenses incident to the condemnation proceedings, from the funds provided, as herein directed, for the purchase of lands and the erection of buildings.

Temporary
loan bonds or
certificate of
indebtedness
may be issued
for purchase of
lands, &c.

8. *And be it enacted*, That to pay for the land so purchased or condemned, and for the damages for the taking thereof, and for the cost of such buildings and other expenses connected therewith, the said city or place may, from time to time, issue its temporary loan bonds or certificates of indebtedness, on which shall be indicated the purpose for which they were issued, and the proceeds thereof shall be used only to defray the expenses aforesaid; and upon the final completion of the duties hereby imposed upon the said commissioners, they shall report to the said common council or other governing body their proceeding, and shall make a full and detailed statement of the entire cost of the lands purchased, the buildings erected, and of all the expenses incurred by them in the execution of their duties, and the said common council or other governing body, upon the ascertainment of such cost and expenses, are hereby authorized to issue the bonds of such city or place for an amount not to exceed three hundred and fifty thousand dollars, which bonds shall be of such denomination as the said common council

Commis-
sioners to
make final
report, &c.

or other governing body shall direct, and shall be made payable within not more than thirty years nor less than ten years from the date of their issue, and shall bear such rate of interest not exceeding five per centum per annum, and be made payable as the said body may determine, and may be negotiated and sold at not less than their par value; such bonds shall be denominated "market bonds," and the proceeds thereof shall be used to retire the temporary bonds or certificates hereby authorized, and for no other purpose whatever.

Common council authorized to issue bonds, amount limited.

9. *And be it enacted*, That the net revenues from all lands and buildings used for market purposes in every such city or place shall be devoted exclusively to the payment of the interest which may accrue upon the said bonds, and to a sinking fund for their redemption and payment when due, where not otherwise appropriated by existing laws, and shall, where sinking fund commissioners exist in any such city or place, be annually paid over to them for this purpose, and where sinking fund commissioners do not exist, shall be kept separate and apart from the other funds of such city or place and exclusively devoted to this purpose.

Revenues from buildings used for market purposes, how used.

10. *And be it enacted*, That if after the lapse of five years from the time when said bonds are issued, it shall be ascertained that the said revenues are insufficient in any such city or place to provide a fund sufficient to meet the annual interest due upon the said bonds and furnish a sinking fund for their payment and redemption when due, that it shall be the duty of the common council or other governing body of such city or place, annually thereafter, to place in the tax levy and collect such sums in addition to the revenue aforesaid as will be sufficient to provide a fund to pay such interest and redeem and pay such bonds at their maturity.

When revenues are insufficient to meet interest, &c., the deficiency to be placed in the tax levy annually.

11. *And be it enacted*, That this act shall take effect immediately.

Passed April 22, 1886.

CHAPTER CXCL.

An Act to enable cities in this state to obtain a supply of water from existing city water works, and to validate certain contracts and obligations heretofore incurred by such cities for that purpose.

Cities authorized to contract for supply of water.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for any city in this state, not owning or controlling its own water works, by its board of councilmen or other governing body to make and execute a contract or contracts from time to time, with any other city in this state having water works, to obtain a supply of water for public and private use in such first-named city, and all such contracts heretofore entered into between different cities in this state are hereby ratified.

Authorized to lay pipes and mains in streets, &c.

2. *And be it enacted*, That the board of councilmen or other governing body of any city making such a contract for the supply of water shall have power to lay and maintain all such pipes and mains under the streets and avenues of said city and through private property, after obtaining the consent, by purchase or otherwise, of the owners thereof, in said city, to conduct such water to such places in said city as said board may from time to time deem expedient, and for these purposes may make all such contracts and employ all such engineers, servants, workmen and laborers as they may deem necessary, subject, however, to the restrictions hereinafter mentioned.

Work and materials furnished to be by contract.

3. *And be it enacted*, That the work and materials which the board of councilmen or other governing body are herein authorized to procure shall be obtained by contract, whenever the expenditure for any particular work and materials shall exceed two hundred dollars, and that notice shall be given by public advertisement, so that ample time may be given for the reception of proposals therefor; each contract shall in all cases be awarded to

the lowest responsible bidder therefor, who shall give bond with ample security for the faithful performance of the contract; but such board shall have the right to reject all bids and re-advertise for proposals whenever they shall deem such action for the best interests of the city; all contracts involving a greater amount than two hundred dollars, and all contractors' bonds shall be presented to and approved by the governing body of said city before said contract shall take effect.

4. *And be it enacted*, That said board of council or other governing body of any city heretofore or hereafter contracting for a supply of water as herein provided, shall have authority to furnish water to all persons and corporations within the limits of said city, and from time to time to establish such general rates of price and time of payment thereof as they may deem proper, and to prescribe such rules, regulations, conditions and restrictions as to the use of water as may, in their opinion, be necessary to prevent abuse; and to erect and supply with water such number of public hydrants and in such places as they shall see fit, and to direct in what manner and for what purpose the same shall be used: all which they may change at their discretion; the said board shall have power, and it shall be their duty, to stop off the water from any premises, the owner or occupants of which shall have neglected to pay such water rents at the time specified for the payment thereof, or shall have violated or permitted the violation of any of their rules, regulations, conditions or restrictions; and whenever the water supply shall be cut off from any premises for any such cause, the same shall not be turned on until the applicant for such restoration shall have paid all arrearages of water rent, together with the expenses incurred in stopping off the water; or in case said water supply shall have been cut off for any violation of the rules aforesaid, then the same shall not be restored until the expenses of stopping off the same shall have been paid by the applicant for such restoration and such applicant shall have given satisfactory security or assurance that such violation shall not occur again; and that all acts heretofore done and performed by such city with refer-

Contract to be
awarded to
lowest bidder,
&c.

Authorized to
furnish water
to persons and
corporations
and establish
rates of price,
&c.

ence to the powers specifically granted in this section are hereby ratified.

Board may fix penalties for non-payment of water-rents.

5. *And be it enacted*, That said board shall have the power, from time to time, to fix penalties for the non-payment of such water rents from the time they become due, which penalty shall never be less than interest at the rate of seven per centum per annum; and said water rents, with such penalties added, shall be and remain a lien upon the premises so supplied with water, and said city shall have similar remedies, by sale and otherwise, for the collection of said water rents, with penalties and costs of sale, as it now has or may hereafter acquire for the collection of taxes.

Penalties, how collected.

Authorized to employ and appoint officers.

6. *And be it enacted*, That said governing board shall have power to employ a water purveyor and other subordinate servants for the management of said water system and for the collection and enforcement of said water rents.

Board may make rules, &c., for tapping of mains, introduction and use of water, and fix penalties therefor.

7. *And be it enacted*, That said governing board shall have power to make such by-laws, rules and regulations respecting the manner of tapping the water mains and the introduction of water into houses, tenements, stores, manufactories and other places where the same may be required, and may from time to time regulate the use thereof in such manner as to them may seem necessary and proper, and to fix the penalties to be recovered for breaches or evasions of such rules, which shall not exceed fifty dollars for each offense; and that the members of said board and the servants in their employ are authorized to enter at all reasonable hours any dwelling house, factory or other place where said water is taken or used, or where unnecessary waste thereof is known or suspected, and to examine and inquire the cause thereof, and to examine all service pipes, stop cocks and other apparatus connected with the water supply, or for the purpose of ascertaining whether the same are of the character and dimensions required by the rules and fixed in the manner directed in the permits issued therefor; and if any person or persons shall refuse to permit such examination, or oppose or obstruct such officer in the performance of such duty, he, she or they, so offending, shall be liable to such penalty, not exceeding twenty dol-

lars for each offense, as the said board may impose, and the supply of water may be shut off from said premises until the required examination is made, and such alterations and repairs are completed as may be found necessary.

8. *And be it enacted*, That said city for the purpose of acquiring and extending said supply of water, may from time to time, by a vote of least three-fourths of the members of said governing board, issue bonds of the city to pay for the expenses of laying pipes, erecting hydrants, and all other expenses incidental to the introduction and use of water in said city in such sums as the board of councilmen or other governing board shall find necessary; said bonds shall be signed by the mayor, sealed with the city seal, and attested by the city clerk and shall be in such form as said governing board shall fix and determine, and may be either registered or coupon bonds; said bonds shall bear interest at a rate not exceeding five per centum per annum, and shall be made payable at such periods of time as said board shall determine, not exceeding thirty years from the date thereof; that it shall be the duty of the city treasurer of said city to sell said bonds, for the purpose of meeting the payments aforesaid, at not less than their par value; and that all bonds heretofore issued by any city for the purposes aforesaid are hereby ratified and validated to the same extent as if said bonds were issued after the passage and approval of this act.

Board may
issue bonds for
extending sup-
ply of water,
&c.

Bonds, how
and by whom
issued.

Bonds hereto-
fore issued
ratified and
validated.

9. *And be it enacted*, That all moneys received by such city for water rents and penalties thereon shall be applied, first, to the payment of the water furnished by the city authorities owning and controlling its own water works to the city making the contract therefor as provided in the first section of this act; next, to the payment of the interest on said bonds; next, to the payment of the expenses of repairing and maintaining the water pipes, hydrants and other apparatus distributing the water, and the salaries, wages and incidental expenses of the water department; and the balance, which shall not be less than three per centum of the water bonds then outstanding, shall be applied to the purchase and retirement of said bonds, if the same can be obtained at reasonable rates, or if that cannot be effected, then such balance

Moneys
received for
water-rents,
how applied.

shall be safely invested by the commissioners of the sinking fund of said city, if any there be, and if none, then by the said governing body, and allowed to remain as a sinking fund, to be applied to the payment of said bonds at maturity.

Receipts
insufficient to
meet
expenses, &c.,
deficiency to
be raised by
tax.

10. *And be it enacted*, That the board of councilmen or other governing body of such city shall, on or before making up the annual ordinance providing for the tax levy for municipal purposes, cause a careful estimate to be made of the interest on the water debt and the retirement of three per centum of the water bonds then outstanding, and the cost of purchasing a water supply under said contract, of managing and keeping in repair and operation said water department for the ensuing year, and of any deficiency from former years in said water department, and of the amount likely to be received during the same year for water rents, and of the deficiency, if any, of such receipts for the payment of such expenditures, and said estimated deficiency said city shall raise by tax as other taxes are assessed, levied and collected; that it shall be the duty of said board of councilmen or other governing body of said city to add to the deficiency so reported five per centum to cover losses and contingencies, and to assess such deficiency so increased upon all the taxable property in said city in the same manner as other taxes are assessed; and said taxes shall be collected by the collector and other officers of said city who are by law required to collect taxes, and if not paid at the time required by law for the payment of other city taxes, shall be collected by warrant and in the same manner as other taxes are collected in said city, and shall be a lien upon the property whereon the same are assessed in like manner.

Taxes, how
and by whom
collected.

Word "city,"
how construed

11. *And be it enacted*, That whenever the word city is used in this act, it shall be construed to refer to the city obtaining a water supply, as provided in the first section of this act, except where otherwise stated.

12. *And be it enacted*, That this act shall take effect immediately.

Passed April 22, 1886.

CHAPTER CXCIIL.

An Act concerning state securities and investments of the school fund.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the governor, comptroller and treasurer of the state be and they are hereby authorized and empowered to sell or transfer to the school fund of the state, the whole or any part of the securities now in the state fund, whenever it may be, in their judgment or in the judgment of a majority of them, necessary or expedient so to do in order to prevent embarrassment to the state treasury, or to meet the lawful demands thereupon; and the proceeds of any such sale shall be applied to the purpose of paying appropriations made by the legislature, and to defray the other necessary and lawful state expenses.

Securities in the state fund may be sold or transferred to the school fund.

Proceeds of sale, how applied.

2. *And be it enacted*, That the trustees for the support of public schools of this state are hereby authorized and empowered to invest in the said securities any part of the principal or income of the said school fund which they are now authorized by law to invest, the said securities to be rated at such valuation as may be agreed upon by and between the aforementioned state officers and the said trustess.

Trustees of school fund authorized to invest fund in securities.

3. *And be it enacted*, That this act shall take effect immediately.

Approved April 24, 1886.

CHAPTER CXCIV.

An Act to create vacancies in certain offices when the occupants thereof have been or may hereafter be ordered by a judge of the circuit court to be confined in a lunatic asylum.

Officers of
state or mem-
ber of any
state board
or commission
adjudged
insane, &c.,
office declared
vacant.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever any officer of this state or any member of any state board or commission shall have appeared or shall hereafter appear to be insane and shall have been or shall hereafter be by the order of the judge of any circuit court in this state ordered to be removed to a lunatic asylum, in pursuance of the provisions of "An act to provide for the organization of the state lunatic asylum and for the care and maintenance of the insane" [Revision], the commission or appointment of such officer or member shall be and the same is hereby declared vacated and void; and a vacancy shall thereupon exist in the office held by such officer or member of any such state board or commission the same as though such officer or member had resigned or died.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 26, 1886.

CHAPTER CXCIV.

An Act to enable counties which have no county hospital to assist in maintaining hospitals located in such county.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for the board of chosen freeholders of any county of this state which has no hospital located therein maintained by such county other than the hospital or sick ward of the county poorhouse, to make an appropriation of a sum of money not exceeding one thousand dollars each year, in the same manner that appropriations for other county purposes are made, which sum so appropriated shall be included in the annual tax levy of such county, and collected in the same manner and at the same time as other county taxes, and shall be applied to the purpose of supporting and maintaining such patients as may be sent to any hospital or hospitals supported by private charity and located in such county; *provided*, the sum so appropriated be used and applied for the benefit, comfort and maintenance of such patients, inmates of such hospital, as are residents of said county at the time of being sent to said hospital.

Freeholders
authorized to
make annual
appropriation
for mainten-
ance of
patients in
hospitals.

Proviso.

2. *And be it enacted*, That all acts and parts of acts inconsistent herewith be and they are hereby repealed.

Repealer.

3. *And be it enacted*, That this act shall take effect immediately.

Approved April 26, 1886.

CHAPTER CXCVI.

Supplement to an act for the limitation of actions [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

Judgments may be revived by scire facias, or action of debt may be brought thereon within ten years.

When judgment ceases to be a lien.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That judgments in any court of record in this state entered upon forfeited recognizances in criminal cases may be revived by scire facias, or an action of debt may be brought thereon within ten years next after the date of such judgment, and not after.

2. *And be it enacted*, That the lien of any judgment heretofore entered upon a forfeited recognizance in a criminal case shall cease to be a lien after ten years, notwithstanding the issuing of scire facias thereon, if no proceedings shall have been taken upon such scire facias within the past ten years.

Approved April 27, 1886.

CHAPTER CXCVII.

An Act to revise, consolidate and amend certain acts concerning boards of health in this state.

THE STATE BOARD OF HEALTH.

State board of health, how constituted.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the governor shall appoint seven persons who, together with the secretary of state, the attorney-general and the state geologist, as ex-officio members, shall constitute the board of health of the state of New Jersey; the persons so appointed shall hold their

offices for seven years; *provided, however*, that the terms Proviso. of office of the appointed members shall, at the first appointment, be so arranged that the term of one member shall expire each year; vacancies, however created, shall be filled for the unexpired term by the governor.

2. *And be it enacted*, That the said board shall take Powers and duties of the board. cognizance of the interest of health and life among the citizens of this state, make sanitary investigations and inquiries in respect to the people, the cause of disease and special epidemics and the sources of mortality, the effects of localities, employments, conditions and circumstances on the public health; they shall gather such information in respect to these matters as they shall deem proper for diffusion among the people; they shall also make inquiry and report in reference to diseases affecting animals and the methods of prevention; they shall appoint a president who shall call meetings as often as once in three months, and when requested to do so by three members of the board; they shall, in the month of December in each year, make a report to the governor of their investigations and opinions for the year, with such suggestions as they may deem necessary.

3. *And be it enacted*, That the said board shall elect a Board to elect secretary. secretary to serve for a term of five years, who shall be a physician of at least five years' practice in this state, and who shall also be medical superintendent of vital statistics; the said secretary shall superintend the performance Duties and compensation. of the duties prescribed by law in relation to the state board of health, and the registry and returns of marriages, births and deaths as the said board may require; the compensation of the said secretary shall be the sum of twenty-five hundred dollars per annum, which sum the treasurer of this state is hereby authorized to pay from any money in the treasury not otherwise appropriated, upon a warrant drawn by the said board signed by the president and attested by its secretary.

4. *And be it enacted*, That to secure such tabular Classification, index and transcription of registry to be made. classification and deduction from the registry of marriages, births and deaths, as bear upon political economy, population, the cause of diseases and epidemics, as will be useful to the said board of health and the superintendent of vital statistics, there shall, in connection with

the index now prepared, be made a full transcription of such vital facts as may be required for this purpose, under the direction of the said board of health; and the said board of health shall fix and determine the amounts necessary to be paid for such index and transcription, but the amount so fixed shall not exceed the sum of four cents for each certificate filed and indexed.

Expense of
tabulating, &c.,
when to be
paid.

5. *And be it enacted*, That the expense of tabulating, classifying and indexing the record of vital facts and statistics, heretofore paid by moneys drawn from the treasurer of this state on the order of the secretary of state by the state board of health, be paid after the close of the present fiscal year by the said board of health from the appropriation made for the said board annually, as herein provided.

Annual appro-
priation for
certain
purposes.

6. *And be it enacted*, That the annual appropriation of the state board of health, for the purpose of making sanitary investigations and inquiries in respect to the people, the causes of disease, epidemics and the source of sickness and mortality, the effect of locality, employments, conditions and circumstances on the public health, and for the purpose of making inquiry and investigation into the sanitary condition of any state, county, city or township almshouse, asylum, prison penitentiary, jail or reform school, shall be the sum of six thousand dollars, in addition to such appropriations as are authorized by law to be made for the purpose of preventing contagious and infectious disease among animals and the adulteration of foods and drugs; all moneys appropriated for the use of said board shall be paid by the treasurer of the state on the order of the comptroller upon requisition made by the board, signed by the president and secretary thereof and approved by the governor.

Amount.

When state
board may
appoint a
physician to be
a member of
township
board of
health.

7. *And be it enacted*, That where, in any township in this state, a local board of health has been or may be organized, and no office of township physician exists, the state board of health may name some graduated physician of such township, (or, if there be none residing in the township, of an adjacent township,) who shall be appointed a member of the township board of health, and shall serve as such until such office is created in such township and an appointment made thereto by the town-

ship authorities; when the appointee is named by the state board of health, as herein provided, the officer so appointed shall hold his office for a term of three years Term of office. and until his successor is in like manner appointed, or until the township authorities shall create and fill the said office of township physician.

8. *And be it enacted*, That where, in any township, sufficient sanitary inspection is not secured, the state board of health may, on notice to the local board, require the appointment by the local board of a health inspector for such township, who shall be paid by the local board of the township a sum not less than fifty dollars a year for his services as inspector. When state board may require appointment of local inspector.

9. *And be it enacted*, That the state board of health shall have a right to cause a sanitary inspection to be made of all chattels and persons in transportation through the state and on the cars, boats and other vehicles in which such chattels or persons may be transported, and the said board shall have the same right of inspection, procedure and control in this respect as is or may be conferred by law upon the local board of health or local authorities in any county, township or city, or other local municipal government in this state; and when, in the judgment of the said board it may be necessary, the said board may require or cause an examination of vessels, cars, boats or other vehicles, and of all baggage and persons to be made, and may enforce such detention or disinfection as they may deem necessary for the public safety. State board authorized to make sanitary inspection of chattels and persons, &c.

10. *And be it enacted*, That the said board may appoint inspectors and assign them to such duties as the interests of the public health in any part of the state may require, and to aid in the execution of the laws relating thereto; and they may require the said inspectors to investigate the local epidemics, nuisances, needs for drainage, neglect of sanitary law, and as to the condition of school-houses, tenements, manufactories and workshops, or of public buildings belonging to the state, or to any county or city therein, and as to those employed therein; and the state board, its agents and appointees shall have the same right of inspection in this respect as has been or may be conferred upon local boards of health; the inspectors appointed by the state board of health shall be paid by the board Appointment of inspector and to assign duties.

out of the moneys appropriated therefor such sum as may be fixed and determined by the board.

What local
boards of
health to
report.

11. *And be it enacted*, That every local board of health of any township, county, city, borough, town or other municipality shall, on or before the first day of October in each year, in addition to other reports required, prepare an annual report of the condition of the public health in their several districts, stating therein any special cause for deterioration of health or of hazard thereto, and shall therein answer any inquiries which may have been addressed to them by the state board of health, and such boards shall forward a copy of such reports to the state board of health on or before the fifteenth day of October in each year.

Physicians to
receive copies
of reports.

12. *And be it enacted*, That every physician in this state making official reports to the state board of health through the bureau of vital statistics shall be entitled to receive by mail, from the treasurer of the state, a copy of the annual report of the state board of health and of the bureau of vital statistics.

Additional
appropriation
in cases of
emergency, by
whom and how
made.

13. *And be it enacted*, That in case any emergency of epidemic or of peril to the public health shall, in the judgment of the state board of health, require the expenditure of a larger amount of money than is herein appropriated, the facts that warrant such expenditure, in the judgment of the board, shall be presented by it to the governor, comptroller and treasurer of the state, and if, in their judgment, additional expenditure is needed to enable the state board of health to meet such emergency, they are hereby authorized to add to the appropriation made, by virtue of the authority hereby given, such sum as in their judgment may be necessary therefor.

Who to consti-
tute the state
board under
this act.

14. *And be it enacted*, That the state board of health heretofore appointed and now acting shall be deemed and taken to be a board appointed under this act as fully in all respects as if the same had been appointed after the passage of this act; the members of such board shall respectively hold their offices for the terms for which they have heretofore been appointed.

LOCAL BOARDS OF HEALTH.

15. *And be it enacted*, That every city, borough, town, or other local municipal government in this state shall have a board of health consisting of not less than five, nor more than seven members, who shall be appointed and constituted in such manner and hold their offices for such term not exceeding four years, as the board of aldermen, common council or other governing body may by ordinance provide; *provided, however*, that in cities containing a population of over one hundred thousand inhabitants, such boards may consist of not more than nine members, not more than three of whom shall go out of office in any one year; vacancies in the said board shall be filled in the same manner in which the original appointments were made, but for the unexpired term only; all local boards of health now existing in any of the townships, cities, towns, boroughs, or other forms of other local municipal government organized under the laws now existing, relating to the organization of local boards of health, and all local boards of health now organized under the provisions contained in the charters of any of the cities of this state where the number of members conform to the requirements of this act, are authorized and empowered to act under its provisions, and are clothed with the power and authority herein given and shall be deemed to be boards of health within the meaning of this act, in the same manner and to the same extent as if the same had been organized after the passage of this act; the members of such local boards shall respectively hold their offices for the terms for which they have heretofore been appointed.

16. *And be it enacted*, That the township committee, the township assessors and the township physician (if such officer exists) shall constitute a board of health for the townships in this state, with exclusive jurisdiction in matters relating to health within the township, except within the limits of any city, borough, incorporated town, or other form of local municipal government within the said township, not co-extensive with the said township, in which a local board of health has been or may be organized.

Power of local
boards to pass
ordinances
and make
rules, regula-
tions, &c.

17. *And be it enacted*, That the said local boards of health shall have power to pass, alter or amend ordinances, and make rules and regulations in regard to the public health within their several jurisdictions, for the following purposes, but such ordinance shall have three readings before its final passage, and at least one week shall intervene between the second and third readings of said ordinance, and a notice stating the title of the ordinance and the date when it passed its second reading shall be published at least one week prior to its final passage in at least one newspaper of the township, city, town or borough, if any newspaper is published therein, and if there be no such newspaper, then in some newspaper of the county circulating in such township, city, town or borough:

I. To aid in the enforcement of the laws as to the adulteration of all kinds of food and drink, and to prevent the sale or exposure for sale of any kind of meat or vegetable that is unwholesome or unfit for food;

II. To define and declare what shall constitute nuisances in lots, streets, docks, wharves, vessels and piers, and all public or private places;

III. To prevent the spreading of dangerous epidemics or contagious diseases, and to declare that the same has become epidemic, and to maintain and enforce proper and sufficient quarantine whenever deemed necessary;

IV. To regulate, control and prohibit the keeping or slaughtering of all kinds of animals;

V. To regulate, control and prohibit the accumulation of offal and all decaying or vegetable substances;

VI. To prohibit and remove any offensive matter or abate any nuisance in any public highway, road, street, avenue, alley or other place, public or private, and to cause the removal of the same at the expense of the owner;

VII. To compel the return of all births, deaths and marriages by physicians, midwives, nurses, clergymen, magistrates and other persons professionally officiating at such death, birth or marriage;

VIII. To secure the sanitary condition of tenement houses, jails, prisons and all public buildings;

IX. To regulate, control or prohibit the cleaning of sewers, the dumping of garbage, the filling of sunken lots or marsh lands, and to provide for the filling up of such lots or lands;

In addition thereto, all such boards except township boards shall have further power in like manner—

I. To regulate and control the method of construction, the location, the method and manner of emptying or cleaning, and the frequency of cleaning of cesspools and privies;

II. To regulate and control the mode of connection of house-drainage and plumbing with outside sewers, cesspools or other receptacles;

III. To protect the public water-supply and prevent the pollution of any stream of water or well, the water of which is used for domestic purposes, and to order not to be used, or closed, any well, the water of which is polluted or detrimental to the public health;

IV. To remove persons infected to a suitable place, in case of contagious or infectious disease, where, in the judgment of the board, such removal is necessary and can be accomplished without undue risk to the person or persons diseased, and to disinfect the premises when deemed necessary;

V. To regulate the burial and disinterment of human bodies.

18. *And be it enacted*, That such boards shall, within their respective jurisdictions, examine into all nuisances, ^{Boards authorized to examine into} all causes of disease which may be known to them or brought to their attention which, in their opinion, are injurious to the health of the inhabitants therein, and shall cause the same to be removed and abated; whenever such nuisances, noxious odors, gases or vapors or cause of ill health or disease shall be found on public property, or on a highway, notice shall be officially given by the said board to the person in charge thereof officially, and such person shall be notified to remove and abate the same; and if there be failure or neglect to comply with such notice the mode of procedure shall be the same as is hereinafter provided in case of private individuals. ^{all nuisances, causes of disease, and abate the same.}

Notice to owners of private property to be given.

Failure of owner to abate nuisance, board to remove.

Expenses, how recovered.

No injunction to be issued to enjoin proceedings until board is notified.

19. *And be it enacted*, That where such nuisances, noxious gases or vapors, or cause of ill health or disease shall be found on private property, the said board shall cause notice thereof to be given to the owner or owners to remove and abate the same at his own expense, within such time as the said board may deem proper; a duplicate of the notice so given shall be left with one or more of the tenants or occupants of the premises; if the owner resides out of the state or cannot be reached with notice speedily, notice left at the house or posted on the premises shall be deemed sufficient, and if the owner or owners thus notified shall not comply with such notification or order of the local board of health within the time specified, the board shall proceed to abate such nuisance and remove the cause of such foul and noxious odors, gases or vapors or other thing detrimental to the public health, and such board shall have a right to recover by action of debt the expenses incurred by such board in the abatement or removal from any person or persons who shall have caused or allowed such nuisance, source of foulness or cause of sickness, hazardous to the public health, and from any owner, tenant or occupant of the premises who, after notice as aforesaid, shall have failed to remove such nuisance, source of foulness, or cause of sickness, hazardous to the public health, within the time specified in such notice; and in case such board of health shall fail to recover by such action an amount sufficient to defray such expenses, or it shall be deemed inexpedient to bring such suit, they may present a bill, certified by such board, or a majority thereof, to the local municipal authorities, and such bill shall be audited and paid by the borough, town, township or other local municipal government in and for which such board is organized in the same manner as the bills for the ordinary current expenses for such municipality are paid.

20. *And be it enacted*, That no injunction shall issue out of any of the courts of this state to stay, stop or enjoin proceedings, or to prevent any local board of health from proceeding with the removal of any alleged nuisance, source of foulness or cause of sickness, hazardous to the public health, until such board has been duly notified to appear and to be present at the hearing of such applica-

tion and has an opportunity to be heard thereon; and no suit shall be maintained in any of the courts of this state to recover damages against any such board, its officers or agents on proceedings had and maintained by them to abate and remove such nuisances and cause of disease, unless it shall be shown in such suit that the alleged nuisance and cause of disease did not exist and that the same was not hazardous and prejudicial to the public health, and unless it be shown that the said board acted without reasonable and probable cause to believe that such nuisance did exist, and that such foul or noxious odors, gases, vapors or other cause was, in fact, prejudicial and hazardous to the public health.

When suits to recover damages against board are not to be maintained.

21. *And be it enacted*, That in the making of ordinances, any board of health may adopt and ordain the same in the form of a code, or each ordinance may be separate and apart by itself, and in all cases said board shall cause such code, ordinance or ordinances to be published for at least two weeks, once in each week in one or more newspapers printed and circulating in the city, township, or in the borough, town or other local municipal government in which such code, ordinance or ordinances shall take effect; and in case no newspaper shall be printed in such township or in such city, borough, town or other local municipal government, then the said code or ordinances shall be posted in five public places therein and published for the said period of time in some newspaper published in the county and circulating in such township or in such city, borough, town or other local municipal government.

Ordinances may be in form of code.

Ordinances and code to be published.

22. *And be it enacted*, That such boards of health may amend or repeal any part or section of such code or ordinances as they may see fit, such amendments to be passed and amended as aforesaid, and every code, ordinance, amendment or repealer shall take effect in thirty days after the date of the first publication.

Code or ordinances may be amended or repealed.

23. *And be it enacted*, That any such board of health may prescribe a penalty for the violation of any of their ordinances or sections of any code they make and ordain as aforesaid, not to exceed one hundred dollars and not less than ten dollars; and every district court in any city, and every justice of the peace in any county,

Boards of health may prescribe penalty for violations of code, &c.

Proceedings in
case of viola-
tions of code
or ordinances.

and any police justice or recorder in any city, is hereby empowered, on oath or affirmation made according to the law that any person or persons has or may have violated any section of the code, or any of the ordinances of any such board as aforesaid, to issue process at the suit of any such board as aforesaid, either in the nature of a summons or warrant, against the person or persons so charged, which process shall, when in the nature of a warrant, be returnable forthwith, and when in the nature of a summons shall be returnable in not less than one nor more than ten entire days; such process shall state what section of the code or ordinance of any such board is alleged to have been violated by the defendant or defendants; and on the return of such process, or at any time to which the trial shall have been adjourned, the said court, justice of the peace, police justice or recorder shall proceed to hear the testimony and to determine and give judgment in the matter without the filing of any pleadings, and a copy of the ordinance or section of the code alleged to have been violated, certified to under the hand of the clerk or president of the board and under the seal of such board, if it have a seal, shall be taken as full and legal proof of the existence of such ordinance or code, and that all requirements of law in relation to the ordaining, publishing and making of the same, so as to make the same legal and binding, have been complied with, unless the contrary be shown; and the said court, justice of the peace, police justice or recorder shall, if judgment be rendered for the plaintiff, forthwith issue execution against the goods and chattels and persons of the defendant or defendants, and said court, justice of the peace, police justice or recorder is further empowered to cause such defendant who may refuse or neglect to pay the amount of the judgment rendered against him, and all costs and charges incident thereto, unless an appeal is granted, to be committed to the county jail for any period not exceeding ninety days; and said court, justice of the peace, police justice or recorder is further empowered, in case any such defendant shall have been twice convicted, within the space of six months, of the violation of the same ordinance, and due proof of the same is made, in addition to the payment of the appropriate penalty, to

cause said defendant to be imprisoned in the county jail or county work-house, with or without hard labor, for any number of days not exceeding one for each dollar of the penalty.

24. *And be it enacted*, That no district court of any city, justice of the peace, police justice or recorder, shall have jurisdiction of any offenses against any code or ordinances of any board of health, which offenses shall take place outside of the territorial jurisdiction of such district court, justice of the peace, police justice or recorder, as such territorial jurisdiction is now or may hereafter be established by law. Jurisdiction of courts.

25. *And be it enacted*, That the officers to serve and execute any process issued out of any court under this act shall be the officers authorized by law to serve and execute process in said courts and before such magistrates and officers as aforesaid, including constables and police officers. Officers to serve and execute process.

26. *And be it enacted*, That the board of health of any township, or any city, borough, town or other local municipal government in this state, shall have the right to declare any epidemic or cause of ill-health to be so injurious or hazardous as to make it necessary to close any or all of the public or private schools in the limits of such township, or of such borough, town or other local municipal government; but in case of public schools, the same shall not be closed except by the direction of the board of education, school trustees or other body having the control or direction thereof; any such board of education, school trustees or other body having control of public schools may, in such case, cause any or all of the schools under their control to be closed, if in their judgment, such closing be necessary for sanitary purposes. Local boards authorized to declare epidemics, &c. Public schools may be closed.

27. *And be it enacted*, That any board of education, school trustees or other body having control of the public schools may, on account of the prevalence of any contagious disease, or to prevent the spread of such contagious disease, prohibit the attendance of any teacher or scholar upon any school under their control, and may specify the time during which such teacher or scholar shall remain away from such school, and may prohibit the attendance of any unvaccinated child who has not had the small-pox, Board of education may close public schools and prohibit attendance of teachers and scholars.

and shall also have power to decide how far revaccination shall be required if a case or cases of small-pox have occurred in the city or district.

Unvaccinated children to be designated on enrollment.

Children may be vaccinated at expense of school district.

Powers not dependent.

How nuisance abated on failure to obey notice.

28. *And be it enacted*, That at the enrollment of the children by the clerk of the school districts in the townships of this state, or by other proper officers in the cities or municipalities, inquiry shall be made as to how many of the children within the school age are unvaccinated, and the same shall be designated by a mark on the said roll, and in case any are found to be unvaccinated whose parents desire them to be protected from small-pox, and who, in the judgment of the board of education or the trustees of the school districts, are unable to pay therefor, the clerk of said district, or other authorized person, may give to the said child or children a permit to appear at the office of any regularly licensed physician in said district or municipality to be vaccinated, and such physician, on presentation of said permit, with his certificate appended thereto that the said vaccination has been by him successfully performed, shall be entitled to receive from the said township or local municipal authority the sum of fifty cents for each case so certified, and the same shall be paid in the same manner that other bills for current expenses are paid therein.

29. *And be it enacted*, That the power herein given to local boards of health to abate nuisances, sources of foulness, or causes of sickness, hazardous to the public health, shall not depend upon whether such boards have exercised their power to pass, alter or amend ordinances in relation to the public health.

30. *And be it enacted*, That a notice of any inspector of any local board of health to abate any nuisance, or by the executive officer or other authorized member of said board, shall be taken as a notice from the board, and if the owner or person notified shall fail to abate the nuisance complained of, the said board may cause the same to be abated in a summary way, giving written directions to the inspector in relation thereto, and he shall proceed according to the directions so given.

31. *And be it enacted*, That such boards shall have power to specify any contagious disease or diseases in case of death from which no public funeral shall be had,

and to prohibit such public funeral under a penalty to be imposed, not to exceed fifty dollars, and in case of the threatening of prevalence of an epidemic, to prohibit such public funeral of persons dying with the particular disease or diseases then prevalent; and they shall also have power to prohibit such public funeral in any case in which the attending physician shall by writing so advise, or in any case in which two reputable physicians in the same district or municipality certify that they believe that the interests of the public health require such restriction.

32. *And be it enacted*, That any such board may determine whether or when it is necessary for a physician or other person in attendance on the sick to notify said board of the existence of contagious or infectious diseases; where such notification is required, the local board shall enter in a book kept for that purpose, subject only to the inspection of the board and its proper officers, the name of the physician making such notification, the date of the notice, the name and precise locality of the disease, and at the close of each six months such physician shall be entitled to receive, on the certificate of the said board, from the disbursing officers of the said township or municipality the sum of twenty-five cents for each notification so given, unless such notification shall be found to have been erroneous.

33. *And be it enacted*, That any such board of health, instead of proceeding in a summary way to abate a nuisance hazardous to the public health, may file a bill in the court of chancery, in the name of the state, on the relation of such board of health for an injunction to prohibit the continuance of such nuisance, and such action shall proceed in the court of chancery according to the rules and practice in such cases on the relation of individuals, and cases of emergency shall have precedence over other litigation pending at the time in the court of chancery, and may be heard on final hearing within such time and on such notice as the chancellor shall direct.

34. *And be it enacted*, That in all cases in which it shall be ascertained by the court of chancery in such suits that such nuisance existed at the time of filing such bill, substantially as set forth in the same, the court shall have

Board to specify diseases from which no public funeral shall be had, and to prohibit same.

Board may determine when physicians to notify board of contagious diseases.

How board may proceed to abate nuisances.

Court of chancery may abate nuisances by injunction, &c.

power to abate the same by an injunction or otherwise, according to the practice of the court, and may charge the costs of such suit upon the property whereon such nuisance is found, and enforce the same by sale of the said property, or any part thereof, on writ of fieri facias, or the said court may order the person or corporation which caused such nuisance, or allowed the same to continue, to pay such costs, and enforce obedience to such order.

Costs, how
awarded.

35. *And be it enacted*, That in case no such nuisance shall be found to exist, costs shall not be awarded as of course against the board of health which caused such suit to be brought, but only in case it shall appear to the chancellor that no probable cause existed for bringing such suit.

Boards
empowered to
appoint officers
and agents,
and to fix
terms and
compensation,
&c.

36. *And be it enacted*, That such boards of health shall have power and authority to appoint such subordinate officers and agents to carry into effect the powers hereby conferred as they may deem necessary, to fix the term of such appointments and the compensation of such appointees; and in every city, town, borough or other local municipal government, containing a population of two thousand inhabitants or more, there shall be at least one inspector appointed by such board; the duties of the officers and appointees of the said board shall be prescribed and defined by rules, regulations or ordinances made for that purpose.

Recorder of
vital statistics
to take cogni-
zance of
neglect or fail-
ure to make
returns, &c.

37. *And be it enacted*, That such boards of health shall, through the recorder of vital statistics, take cognizance of any neglect or failure to make return on the part of any person charged with this duty under the laws of this state, and such boards are authorized to pass ordinances in relation thereto, and prescribe penalties therefor, and to enforce the same in any lawful manner.

When town-
ship clerk to
take charge of
and make
report.

38. *And be it enacted*, That in case of the death or removal of any assessor before the time of electing a successor, the township clerk shall take charge of and make the report required by law of the assessor in relation to vital statistics.

Boards to
present to
common
council, &c.,
budget, &c.

39. *And be it enacted*, That the said boards of health in every city, town, borough or other local municipal government shall each year present to the common council

or other governing board of the city, town, borough, or other local municipal government, a budget or outline of appropriations which it shall believe to be needed to be placed at the command of the board for health purposes, and if said estimate is not beyond a pro rata of five cents for each inhabitant, as returned by the last preceding census, the same shall be allowed, and as much in addition as such common council or other governing body shall approve; and all fines, fees and penalties imposed and collected by such boards shall, when received, be placed to the credit of and be at the disposal of said boards.

40. *And be it enacted*, That the boards of health of each township in this state may expend annually the sum of one hundred dollars in the care of the public health, and in addition thereto fifty dollars for each one thousand of the inhabitants thereof over two thousand, as returned by the last preceding census, if in its judgment such expenditure shall be required for the purpose, and itemized bills for such expenditure, having been approved by the president and secretary of such board, shall be paid by the usual disbursing officer of the township, and if in case of any emergency or of any special need for the protection of the public health such board shall consider the expenditure of a greater sum necessary, the board shall so certify to the township committee, and with their consent and approval, may incur such further expense as said committee may authorize, and if the funds at the disposal of the township committee are not sufficient to cover such expenditure, said committee is hereby authorized to borrow money for the purpose on the credit of the township, and is directed to place the amount in the next annual tax levy, and with the money so raised to pay the debts so incurred.

Amount to be expended annually by township boards of health.

Township committee authorized to borrow money.

41. *And be it enacted*, That where local boards of health are organized under this act, or where boards of health now existing have conferred upon them the powers and authority given in this act, they shall have the right to exercise the same, notwithstanding similar powers may be conferred by the charters of the city, town, township, borough or other local municipal government, within which such boards are acting.

Local boards of health authorized to exercise powers conferred by this act.

When provisions of act not to apply.

42. *And be it enacted*, That the provisions of this act shall not apply to or affect any county in this state, or any city in such county, wherein a county board of health has been organized and is now acting, so long as such board continues to exist, and while such county board has jurisdiction co-extensive with the whole county.

Agents, officers, &c., to be removed only for cause.

43. *And be it enacted*, That the appointees, agents and officers of the said boards, except those merely temporary, shall hold their offices during the term for which they were severally appointed, and shall not be removed therefrom except for cause and after an opportunity has been given them for a hearing.

Acts repealed recited.

44. *And be it enacted*, That the following statutes and parts of statutes and all statutes and parts of statutes consolidated, revised and re-enacted in this act, and all statutes or parts of statutes repugnant to the provisions of this act be and the same are hereby repealed; *provided, however*, that any rights acquired under the acts hereby repealed or either of them, and any suits pending under the same shall not be affected by the repeal thereof, viz.: (1) An act entitled "An act to establish a state board of health," approved March ninth, one thousand eight hundred and seventy-seven; (2) An act entitled "An act concerning the protection of the public health, and the record of vital facts and statistics relating thereto," approved March eleventh, one thousand eight hundred and eighty; (3) An act entitled "A Supplement to an act entitled 'An act concerning the protection of the public health and the record of vital facts and statistics relating thereto,'" approved March thirty-first, one thousand eight hundred and eighty-two; (4) An act entitled "A supplement to an act concerning the protection of public health and the record of vital facts and statistics relating thereto," approved March thirty-first, one thousand eight hundred and eighty-two; (5) An act entitled "A Further Supplement to an act entitled 'An act concerning the protection of the public health and the record of vital facts and statistics relating thereto,'" approved April twenty-first, one thousand eight hundred and eighty-four; (6) An act entitled "Supplement to an act entitled 'An act concerning the protection of the public health and the record of vital facts and statistics relating thereto,'" approved March

Proviso.

eleventh, one thousand eight hundred and eighty, providing for the organization and reorganization of local boards of health and the appropriation of money therefor," passed April third, one thousand eight hundred and eighty-five; (7) An act entitled "An act relating to local boards of health," approved March twenty-second, one thousand eight hundred and eighty-one; (8) An act entitled "Supplement to an act entitled 'An act relating to local boards of health,'" approved March twenty-second, one thousand eight hundred and eighty-three; (9) An act entitled "An act to provide for the better care and protection of the public health," approved April twenty-first, one thousand eight hundred and eighty-five; (10) sections eleven and thirteen of the act entitled "An act concerning the registry and returns of marriages, births and deaths," approved April fifth, one thousand eight hundred and seventy-eight.

45. *And be it enacted*, That this act shall take effect immediately.

Approved April 27, 1886.

CHAPTER CXCVIII.

An Act to amend an act entitled "An act to provide for the regulation and incorporation of insurance companies" [Revision], approved April ninth, one thousand eight hundred and seventy-five.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section thirty-six of the act to which this is a supplement be and the same is hereby amended so that the same shall read as follows:

[36. *And be it enacted*, That any existing joint stock company incorporated by this state for either of the purposes mentioned in this act, may, at any time after notice being given for three months in a newspaper of this state, published in the county where such company is located,

Section
amended.

How charters
of existing
companies
may be
extended.

and if no newspaper be published in such county, then in a newspaper published nearest to the same, of such intention, and with the written consent of three-fourths in amount of its stockholders, or if a mutual company, or a mutual company whose charter has expired, with the unanimous consent of its trustees or directors, extend its original charter to the time specified by the provisions of this act, by altering or amending the same so as to accord with the provisions of this act, and filing a copy of the same so altered or amended, together with a declaration, under its corporate seal, signed by the president and directors, of their desire for such extension, and also the written consent of three-fourths in amount of its stockholders, and the unanimous consent of the trustees or directors as aforesaid to such extension, in the office of the secretary of state; and upon the filing such consent, declaration and charter, the same proceedings shall be had as are required by the thirty-second section of this act; and any of the mutual insurance companies already chartered by the legislature of this state, may, after giving ninety days' notice in three of the public papers of this state, change to joint stock companies, by proceeding in accordance with and conforming their charter to the provisions of this act.]

2. *And be it enacted*, That this act shall take effect immediately.

Passed April 27, 1886.

CHAPTER CXCIX.

A Supplement to an act entitled "An act to provide for the erection of suitable monuments to mark the position of New Jersey regiments upon the battlefield of Gettysburg," approved April twentieth, one thousand eight hundred and eighty-five.

Appropriation
for certain
purposes.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That there be and is hereby ap-

propriated from any moneys in the treasury not otherwise appropriated, in lieu of the appropriation made in the act to which this is a supplement, the following sums, to wit: for the use of the Gettysburg Battlefield Monument Association, incorporated April thirtieth, one thousand eight hundred and sixty-four, for the purchase and preservation of the battle-grounds, with the natural and artificial defenses of the same and the perpetuation thereof, three thousand dollars; for the purpose of properly marking the positions of the New Jersey regiments, batteries and brigades, and of erecting a monument or monuments suitably inscribed, six thousand dollars, or so much thereof as may be necessary for the purpose; said sums to be paid out upon the warrant of the comptroller, upon the approval of the commissioners hereinafter mentioned.

2. *And be it enacted*, That the governor shall, within thirty days after the passage of this act, appoint three discreet citizens of this state to be commissioners to carry out the provisions of this act; they shall determine the style, number and location of the marks and monuments to be erected under this act and shall erect the same with all convenient speed; in making such location they shall designate and call to their aid one officer or enlisted man who was present at the battle of Gettysburg from each New Jersey regiment and battery there engaged, and with their assistance and that of the officers of said association shall locate the lines and positions occupied by the respective regiments and batteries; and the actual expenses of the officers and enlisted men so designated and assisting, not exceeding three hundred dollars in all, may, upon the approval of said commissioners, be paid out of the said sum of six thousand dollars above appropriated.

Governor to
appoint com-
missioners.

Powers of the
commis-
sioners.

Expenses, &c.,
how paid.

3. *And be it enacted*, That this act shall take effect immediately.

Approved April 27, 1886.

CHAPTER CC.

An Act for the better enforcement in any river or bay of an act entitled "An act for the preservation of clams and oysters," approved April fourteenth, one thousand eight hundred and forty-six, and supplements thereto.

Unlawful for
non-residents
of the state to
plant seed or
grow oysters.

Penalty.

Repealer.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be unlawful for any person or persons not residents of this state, and who shall not have been residents for six months next preceding, to plant seed or grow oysters in the waters of any river or bay; and any oysters, oyster shells, or other materials for seeding or growing oysters so planted shall become public property, or may be caught or taken up by any citizen of this state; and any person or persons violating the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be subject to a fine not exceeding five hundred dollars, or imprisonment not exceeding one year, or fine and imprisonment, at the discretion of the court.

2. *And be it enacted*, That any acts or parts of acts inconsistent with this act be repealed, that this act shall be a public act and take effect immediately.

Approved April 27, 1886.

CHAPTER CCI.

An Act to amend an act entitled "An act to establish the powers and duties of the boards of chosen freeholders in the respective counties of this state and to define the powers of the presiding officers of said board," passed March twenty-fifth, one thousand eight hundred and eighty-five.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section four of an act entitled "An act to establish the powers and duties of the boards of chosen freeholders in the respective counties of this state and to define the powers of the presiding officers of said board," passed March twenty-fifth, one thousand eight hundred and eighty-five, be amended to read as follows:

[4. *And be it enacted*, That each and every board of chosen freeholders of the respective counties in this state shall have power to appoint such officers, agents and employes as may be required to do the business of such county, and fix their compensation and term of service, but no person shall be appointed by such board to any office or position in any county unless he shall have been a citizen of the state of New Jersey for at least one year prior to such appointment, nor unless by the affirmative vote of at least a majority of all the members of said board, at a regular stated meeting of the board; and any appointment made as aforesaid, unless otherwise ordered by resolution of the board, shall be of full force and effect, and the term thereof shall commence immediately upon such vote being taken, without any approval or other action by the director, acting director or other presiding officer of such board; *provided*, that if sufficient competent medical attendants and nurses with the above qualifications cannot be obtained, then the said board

Section
amended.

Board of free-
holders em-
powered to
designate and
appoint their
officers and fix
compensation,
&c.

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may appoint whatever person may be necessary without such qualifications as medical attendants or nurses in any county asylum for the insane.]

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 27, 1886.

CHAPTER CCII.

A Supplement to an act entitled "An act for the restoration of the state house," approved April seventh, one thousand eight hundred and eighty-five.

Appropriation
for the comple-
tion of the
state house,
&c.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That to enable the commissioners appointed under the act to which this is a supplement to continue and complete the restoration of the burned portion of the state house, according to the plans adopted, or to be adopted by them, to reconstruct the rotunda and dome of the said state house, to purchase the necessary furniture and other appliances to fit the several rooms in the said building for occupancy, and to properly grade and put in order the surrounding grounds, the sum of two hundred and twenty-five thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated, and the comptroller is hereby authorized to draw his warrants upon the state treasurer, from time to time, for such portions of the said sum as may be required by the commissioners for the aforesaid purposes, and the treasurer shall pay the same out of any money in the treasury not otherwise appropriated.

Additional
commission-
ers appointed.

2. *And be it enacted*, That there be added to the commissioners as members thereof Joseph A. Barstow and J. Bingham Woodward.

3. *And be it enacted*, That this act shall take effect immediately.

Approved April 27, 1886.

CHAPTER CCIII.

A Supplement to an act entitled "An act relating to the improvement of streets and the construction of sewers in cities of this state," passed March twenty-seventh, one thousand eight hundred and eighty-two.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for the common council or board of aldermen having charge of the opening of streets in cities of this state, in the mode and manner, and according to the terms, conditions and requirements contained in the act to which this is a supplement, to use the funds therein authorized to be raised, or such part thereof as the common council or other legislative or governing body shall determine, for the purpose of opening streets therein; and it shall and may be lawful for cities of this state to raise, in the manner prescribed in said act, for the purposes therein designated and herein authorized, any sum or sums not exceeding one hundred and fifty thousand dollars.

2. *And be it enacted*, That when any sum or sums of money shall be placed in the tax ordinance of any city for either of the purposes specified in the said act, or authorized by this supplement, that the particular purpose for which the same is intended shall be designated therein, that is, whether it be for the construction of sewers, the opening of streets or the improvement thereof; and it shall not be necessary to designate each particular improvement or work, but only the class to which it belongs, in order that the funds raised by taxation, either in the tax ordinance or by assessments, may be kept separate as provided in said act.

3. *And be it enacted*, That this act shall take effect immediately.

Passed April 27, 1886.

CHAPTER CCIV.

An Act to defray the incidental expenses of the legislature of New Jersey for the session of one thousand eight hundred and eighty-six.

State treasurer
authorized to
pay certain
sums.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the treasurer of the state of New Jersey to pay upon warrant of the comptroller, to the several persons hereinafter named, the following amounts, viz. :

- Item No. 1.—To P. T. Wood, for services as clerk to the committee on bill revision, and railroads and canals, session of one thousand eight hundred and eighty-six, three hundred dollars, \$300 00
- Item No. 2.—To Edmund P. Wait, for services as clerk to the committee on revision of the laws, session of one thousand eight hundred and eighty-six, three hundred dollars, \$300 00
- Item No. 3.—To George R. Johnson, for services as document clerk, session of one thousand eight hundred and eighty-six, four hundred dollars, \$400 00
- Item No. 4.—To the Foye Letter File and Index Company, for eleven and ten-twelfths dozen bill files furnished the house of assembly, session of one thousand eight hundred and eighty-six, three hundred and seventy-six dollars and forty-five cents, \$376 45
- Item No. 5.—To Samuel Toombs, for stationery, minute books, calendars, etc., for the house of assembly, session of one thousand eight hundred and eighty-six, one hundred and eighteen dollars and sixty-five cents, \$118 65
- Item No. 6.—To C. M. Ward, special agent of the Globe Files Company, two hundred reversi-

ble document envelopes, session of one thousand eight hundred and eighty-six, twelve dollars,	\$12 00
Item No. 7.—To Frank E. Baker, for services as assistant journal clerk, house of assembly, session of one thousand eight hundred and eighty-six, four hundred dollars,	\$400 00
Item No. 8.—To Clark F. Bunnell, for services in opening senate, session of one thousand eight hundred and eighty-six, ten dollars,	\$10 00
Item No. 9.—To Charles P. Ford, for services in opening senate, session of one thousand eight hundred and eighty-six, ten dollars,	\$10 00
Item No. 10.—To Benjamin R. Pool, for services as doorkeeper in opening senate, session of one thousand eight hundred and eighty-six, ten dollars,	\$10 00
Item No. 11.—To J. H. Bonnell, for services as clerk to committee on municipal corporations, and committee on corporations, session of one thousand eight hundred and eighty-six, three hundred dollars,	\$300 00
Item No. 12.—To Walter Nolan, for washing towels for the house of assembly, session of one thousand eight hundred and eighty-six, fifty dollars,	\$50 00
Item No. 13.—To Ellen Meeley, for cleaning the senate and house of assembly chambers, president's, speaker's and committee rooms, session of one thousand eight hundred and eighty-six, two hundred dollars,	\$200 00
Item No. 14.—To each of the pages of the house of assembly, including the three pages named in the bill, session of one thousand eight hundred and eighty-six, for extra services, twenty-five dollars.	
Item No. 15.—To John R. Carrall, for services as clerk to the committee on elections, house of assembly, session of one thousand eight hundred and eighty-six, one hundred and fifty dollars,	\$150 00

- Item No. 16.—To Reuben Brown, Jr., services in cleaning spittoons and water-closets for the house of assembly, session of one thousand eight hundred and eighty-six, one hundred and fifty dollars, \$150 00
- Item No. 17.—To Naar, Day & Naar, to advertising notice to present incidental bills to committee, session of one thousand eight hundred and eighty-six, two dollars, \$2 00
- Item No. 18.—To C. J. Donovan, serving subpoenas, acting as sergeant-at-arms for committee meetings and expenses for car fares, dinners, lodgings, etc., year of one thousand eight hundred and eighty-four, fifty dollars, \$50 00
- Item No. 19.—To J. C. Norris, for services as clerk to the committee on engrossed bills, session of one thousand eight hundred and eighty-six, four hundred dollars, \$400 00
- Item No. 20.—To Sutphin & La Rue, for eleven coaches for committee on deaf and dumb asylum, for four and one-half hours each, four dollars and fifty cents per coach, session of one thousand eight hundred and eighty-six, forty-nine dollars and fifty cents, \$49 50
- Item No. 21.—To Ignatius Noonan, for services as page in clerk's room, house of assembly, session of one thousand eight hundred and eighty-six, two hundred dollars, \$200 00
- Item No. 22.—To John T. Burton, to extra services as door-keeper of ladies' gallery, session of one thousand eight hundred and eighty-six, fifty dollars, \$50 00
- Item No. 23.—To Clark W. Mills, Jr., for services as page in bill-room, house of assembly, session of one thousand eight hundred and eighty-six, two hundred dollars, \$200 00
- Item No. 24.—To Harry C. Jewett, for services as page in bill-room, house of assembly, session of one thousand eight hundred and eighty-six, two hundred dollars, \$200 00
- Item No. 25.—To Joseph L. Midwood, for services as clerk to the committee on inci-

dental bills, session of one thousand eight hundred and eighty-six, sixty dollars,	\$60 00
Item No. 26.—To James P. Logan, for services as clerk to the committee on the judiciary, session of one thousand eight hundred and eighty-six, three hundred dollars,	\$300 00
Item No. 27.—To John L. Murphy, for supplies furnished Samuel Toombs, clerk of house of assembly, session of one thousand eight hundred and eighty-six, one hundred and seventy dollars and thirty cents,	\$170 30
Item No. 28.—To John L. Murphy, for supplies furnished George W. Colfax, sergeant-at-arms, house of assembly, session of one thousand eight hundred and eighty-six, one hundred and ninety dollars and one cent,	\$190 01
Item No. 29.—To John L. Murphy, for supplies furnished the committee on engrossed bills, session of one thousand eight hundred and eighty-six, fifteen dollars and thirty cents,	\$15 30
Item No. 30.—To John L. Murphy, for supplies, stationery, etc., furnished Hon. E. A. Armstrong, speaker of house of assembly, session of one thousand eight hundred and eighty-six, one hundred and fifty-six dollars and forty-nine cents,	\$156 49
Item No. 31.—To John L. Murphy, for furnishing engrossing clerk of house of assembly stationery and supplies, session of one thousand eight hundred and eighty-six, seventy-two dollars and sixty cents,	\$72 60
Item No. 32.—To John L. Murphy, for stationery and supplies furnished document clerk, house of assembly, session of one thousand eight hundred and eighty-six, thirty-seven dollars and seventy-two cents,	\$37 72
Item No. 33.—To John L. Murphy, for stationery furnished the stationery committee, house of assembly, session of one thousand eight hundred and eighty-six, four hundred and twenty-two dollars and fifty cents,	\$422 50

- Item No. 34.—To Warner Davis, for services as assistant journal clerk, opening session of one thousand eight hundred and eighty-six, ten dollars, \$10 00
- Item No. 35.—To Fred. E. Muller, William Jones, Charles Disbrow, William E. Totten, Albert Pancoast and James D. O'Brien, for services as pages, opening session of one thousand eight hundred and eighty-six, ten dollars each, \$60 00
- Item No. 36.—To John L. Murphy, for advertising incidental bills, session of one thousand eight hundred and eighty-six, two dollars, \$2 00
- Item No. 37.—To A. Kessler, for locks, keys, repairs, etc., house of assembly and senate, session of one thousand eight hundred and eighty-six, thirty-six dollars and sixty-five cents, \$36 65
- Item No. 38.—To J. Frank Patterson, for serving summons and attending court of inquiry, as ordered by the oleomargarine committee, session of one thousand eight hundred and eighty-six, thirty-two dollars and fifteen cents, \$32 15
- Item No. 39.—To John A. Nugent, for services as stenographer to assembly committee to investigate, etc., alleged sale of oleomargarine and adulterated dairy products, session of one thousand eight hundred and eighty-six, fifty-three dollars and sixty cents, \$53 60
- Item No. 40.—To Joseph Coult, for services rendered the special joint committee appointed to prepare health laws, session of one thousand eight hundred and eighty-six, two hundred and fifty dollars, \$250 00
- Item No. 41.—To Knight & Gnichtel, for services as stenographers to special joint committee on health laws, session of one thousand eight hundred and eighty-six, thirty-eight dollars, \$38 00
- Item No. 42.—To James J. Clarke, for counsel fees and expenses, such as recount of ballots, examination before commissioners and masters and argument before committee, in the con-

tested election case of Clarke versus McDon-	
ald, session of one thousand eight hundred	
and eighty-six, seven hundred dollars,	\$700 00
Item No. 43.—To Terence J. McDonald, for	
counsel fees and expenses, such as stenog-	
rapher, type-writer, etc., in the contested	
election case of Clarke versus McDonald, ses-	
sion of one thousand eight hundred and	
eighty-six, seven hundred dollars,	\$700 00
Item 44.—To each clergyman, for opening the	
sessions of the legislature with prayer dur-	
ing the session of one thousand eight hundred	
and eighty-six, ten dollars.	
Item 45.—To Thomas K. Johnston, for fur-	
nishing parchment and preparing oaths of offi-	
cers and members of the senate and general	
assembly, session of one thousand eight hun-	
dred and eighty-six, fifty dollars,	\$50 00
Item No. 46.—To Sutphin & La Rue, for nine	
(9) coaches for committee on industrial school	
for girls, session of one thousand eight hun-	
dred and eighty-six, thirty-six dollars,	\$36 00
Item No. 47.—To John L. Murphy, for station-	
ery furnished engrossing clerk of the senate,	
one hundred and eighty-seven dollars and	
forty-eight cents,	\$187 48
Item No. 48.—To John L. Murphy, for station-	
ery furnished to the sergeant-at-arms of the	
senate, three hundred and nine dollars and	
ninety-eight cents,	\$309 98
Item No. 49.—To John L. Murphy, for books,	
&c., furnished the secretary of the senate,	
eighty-seven dollars and seventy-five cents,	\$87 75
Item No. 50.—To John L. Murphy, for station-	
ery, &c., furnished the secretary of the senate,	
one hundred and thirty-three dollars and	
thirty-eight cents,	\$133 38
Item No. 51.—To John L. Murphy, for station-	
ery furnished to the committee on engrossed	
bills, twenty-eight dollars and eighty-five	
cents,	\$28 85

- Item No. 52.—To John L. Murphy, for stationery, &c., for the president of the senate, one hundred and forty-six dollars and twenty-eight cents, \$146 28
- Item No. 53.—To John L. Murphy, for bill files, &c., furnished sergeant-at-arms of the senate, thirty-six dollars, \$36 00
- Item No. 54.—To Robert H. Ingersoll, for extra services as assistant journal clerk of the senate, one hundred and fifty dollars, \$150 00
- Item No. 55.—To the Foye Letter File Company, for bill files furnished sergeant-at-arms of the senate, sixty-eight dollars and twenty-five cents, \$68 25
- Item No. 56.—To A. Kessler, for desk keys, repairing locks, &c., twelve dollars and twenty cents, \$12 20
- Item No. 57.—To Mary E. Lee, for washing towels for senate, fifty dollars, \$50 00
- Item No. 58.—To the chairman of joint committee on reform school for the senate, for carriages for session of 1885, hire and expenses, eleven dollars and seventy-seven cents, \$11 77
- Item No. 59.—To John W. Simmons, for express, two dollars and thirty cents, \$2 30
- Item No. 60.—To John T. Ray, for services cleaning spittoons in senate chamber and lobbies and galleries, court of impeachment, session of 1886, one hundred dollars, \$100 00
- Item No. 61.—To William A. Stiles, W. A. MacCrellish, Joseph S. Hulme and Howard MacSherry, for services in opening senate, session of 1886, each ten dollars, \$40 00
- Item No. 62.—To Knight & Gnichtel, services as stenographic reporters to the joint committee on printing, session of 1886, one hundred and sixty dollars, \$160 00
2. *And be it enacted*, That this act shall take effect immediately.

Passed April 27, 1886.

CHAPTER CCV.

An Act relative to the state reform school for boys.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That there be appropriated the sum of five thousand dollars, to be used by the trustees of the reform school in erecting gas works to manufacture gas for use in said buildings on said reform school farm, and the further sum of five thousand dollars, to be expended by said trustees in providing the needed facilities for a proper supply of good and wholesome water; and that said appropriation be used for the purposes specified in said bill and no other.

Approved April 28, 1886.

CHAPTER CCVI.

An Act to amend an act entitled "An act for the protection of fish," approved March twenty-fifth, one thousand eight hundred and eighty-one.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the third section of an act entitled "An act for the protection of fish," approved March twenty-fifth, one thousand eight hundred and eighty-one, be and the same is hereby amended so as to read as follows:

[3. *And be it enacted*, That no person shall kill or expose for sale, or have unlawfully in his or her possession after the same has been killed, any black bass or Oswego bass in the months of December, January, Feb-

Appropriations
for gas works
and supply of
water.

Section
amended.

When unlawful
to catch or
expose for sale
black or
Oswego bass.

ruary, March, April, or in May before the thirtieth day thereof in any year.]

Repealer.

2. *And be it enacted*, That all acts and parts of acts inconsistent with this act be and the same are hereby repealed, and that this act shall take effect immediately.

Approved April 28, 1886.

CHAPTER CCVII.

An Act concerning cities.

May increase
number of
clerks and
assistants and
fix salaries.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the board of finance or board having control of the finances of any incorporated city in this state, by and with the consent of all the members of any such board, upon application of the city clerk of such incorporated city, to increase the number of clerks and assistants employed in the office of such city clerk and to fix the salaries of the entire clerical force employed in said city clerk's office.

2. *And be it enacted*, That all acts or parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Approved April 28, 1886.

CHAPTER CCVIII.

An Act for the preservation of squirrels.

When unlawful
to kill or
expose for sale
gray squirrels.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That no person shall kill, take, expose for sale, or have unlawfully in his or her possession after the same has been killed, any gray squirrel,

except during the months of October, November and December in any year, under a penalty of fifteen dollars for each gray squirrel killed, taken, exposed for sale, or had in possession contrary to the provisions of this act. Penalty.

2. *And be it enacted*, That the penalty provided for in the foregoing section shall be recovered in the manner provided in the act entitled "An act to provide a uniform method of procedure for the recovery of penalties for the several laws relating to game and game fish," passed March sixteenth, one thousand eight hundred and eighty-five. Penalty, how recovered.

Approved April 28, 1886.

CHAPTER CCIX.

Supplement to an act entitled "An act concerning taxes," approved April fourteenth, one thousand eight hundred and forty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section twenty-two (22) of said act, entitled "An act concerning taxes," approved April fourteenth, one thousand eight hundred and forty-six, be amended so as to read as follows: Section amended.

[22. *And be it enacted*, That if any constable or collector to whom such warrant shall be delivered shall neglect or refuse to execute the same as therein directed, or shall neglect or refuse to pay the tax money which he shall have levied and made by distress and sale as aforesaid to the township treasurer, or shall neglect or refuse to perform any other service or duty required of him by this act, he shall forfeit and pay for every such neglect or refusal thirty-two dollars, to be recovered with costs, by action of debt, by the township treasurer for the use of the township.] Penalty for constable or collector neglecting or refusing to execute warrant or to pay tax money.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 28, 1886.

CHAPTER CCX.

A Supplement to the act entitled "An act for the relief of creditors against absconding and absent debtors," approved March twenty-seventh, one thousand eight hundred and seventy-four.

Property of
absconding
debtors may
be attached,
sold, &c., for
payment of
penalties
recovered.

Proviso.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in all cases where any penalty or penalties are or may be recoverable under and by virtue of the provisions of any statute or statutes of this state, the rights and credits, moneys and effects, goods and chattels, lands and tenements, of any person or persons who have incurred such penalty or penalties, but who may abscond or who may reside out of this state, shall be liable to be attached, taken, proceeded against, sold, assigned, transferred and conveyed for the payment of such penalty or penalties, in like manner as nearly as may be, as the rights and credits, moneys and effects, goods and chattels, lands and tenements of other debtors are made liable by the act to which this is a supplement; *provided*, that the oath or affirmation required by the act to which this is a supplement, shall declare for what penalty the action is brought, and shall contain the title or titles of the statute or statutes under which such penalty or penalties have accrued.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 28, 1886.

CHAPTER CCXI.

An Act to provide for the amicable adjustment of grievances and disputes that may arise between employers and employes.

[1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever any grievance or dispute of any nature shall arise between any employer, joint stock association, company or corporation engaged in manufacturing, and his, their or its employes, it shall be lawful by the mutual consent of the parties to submit the same in writing to a board of arbitrators for hearing and settlement, which board shall be composed of five persons; a majority of said employes, at a meeting duly held for that purpose, shall have the power to designate two persons to act as arbitrators in their behalf, the employer, firm, joint stock association, company or corporation as aforesaid, shall have the power to designate two arbitrators and the said four arbitrators shall designate a fifth person as arbitrator, who shall be the chairman of the board.

Grievances or disputes may be submitted to arbitrators.

Number of arbitrators and how appointed.

2. *And be it enacted*, That each arbitrator shall, before he proceeds to the business of the arbitration, take and subscribe an oath or affirmation faithfully and impartially to hear and examine the grievance in dispute or question, and to discharge his duties as such arbitrator according to the best of his skill and understanding, which oath or affirmation shall be taken and subscribed before any officer authorized to administer the same.

Arbitrators to take oath, &c.

3. *And be it enacted*, That when the said board is ready for the transaction of business, it shall select one of its number to act as secretary, whose duty it shall be, when ordered by the board, to give at least two days notice in writing to the parties to the dispute of the time and place of hearing the same, which notice may be served personally on the parties or by fixing the same to the principal

Board to select secretary and to give notice of time and place of hearing and determining disputes, &c.

outer door or gate of the establishment of said employer, firm, joint stock association, company or corporation, or where from any reason service as aforesaid cannot be had then the same may be served as said board shall direct.

Who authorized to issue subpoenas for production of books, &c., and attendance of witnesses.

Penalty for refusing to appear and give testimony, &c.

Chairman of board empowered to administer oaths.

Majority of board to provide for examination of books, &c.

Proviso.

Board may make and enforce rules, &c.

4. *And be it enacted*, That it shall be lawful for any justice of the peace, or the clerk of any court of record within the county wherein such board of arbitrators may be, to issue subpoenas for the production of books and papers and for the attendance of witnesses before said board; and if any such witness, when so subpoenaed, shall not appear in accordance with the command of such writ, or, if appearing, shall refuse to be sworn or affirmed and give evidence, he or she, as the case may be, shall be liable to the same fines and penalties as he or she would be by law for such default or refusal if committed in any court of record in this state.

5. *And be it enacted*, That the said witnesses shall be examined on oath or affirmation, which oath or affirmation the chairman of said board is hereby empowered to administer; a majority of said board may provide for the examination and investigation of books, documents and accounts pertaining to the matters in dispute and belonging to either party; *provided*, that the board may unanimously direct that instead of producing books, papers and accounts before the board, an accountant agreed upon by the entire board may be appointed to examine such books, papers and accounts, and such accountant shall be sworn well and truly to examine such books, documents and accounts as may be presented to him, and to report the result of such examination in writing; before such examination the information desired and required by the board shall be plainly stated in writing and presented to said accountant, which statement shall be signed by said board. Attorneys at law or other agents of either party to the dispute shall not be permitted to appear or take part in any of the proceedings of the board, but the same shall be, as far as possible, voluntary.

6. *And be it enacted*, That said board may make and enforce rules for the government of itself and the transaction of business before it and fix its sessions and adjournments, and shall hear and examine such witnesses

as may be brought before the board, and such other proof as may be given relative to the matter in dispute.

7. *And be it enacted*, That after the matter in dispute has been fully heard, the said board, or a majority thereof, shall, within five days, render a decision thereon, which decision shall be reduced to writing, signed by the arbitrators agreeing thereto, and shall set forth such details as will clearly show the points considered by said board and the nature of the decision; said decision shall be a final settlement of the matters referred to said arbitrators, and shall be binding and conclusive between the parties; it shall be executed in three parts, one copy of which shall be given to each of the parties to the dispute, and the remaining copy shall be filed in the office of the clerk of the county, there to remain of record.

Board to render decision, and what to set forth.

Decision to be final and binding on all parties.

8. *And be it enacted*, That when the said board shall have reached a decision and filed their report, as set forth in section seven of this act, its power shall cease, unless there may be in existence at the time other similar grievances or disputes between the same classes of persons mentioned in section one, and in such case such persons may submit their differences to the said board, which shall have power to act and arbitrate and decide upon the same as fully as if said board was originally created for the settlement of such other difference or differences.

When power of board to cease.

Other differences may be submitted to the board.

9. *And be it enacted*, That the members of said board shall not receive any compensation for their services, but the expenses of said board may be met and paid by voluntary subscriptions, which the board is hereby authorized to receive for that purpose.

Board to receive no compensation.

Expenses may be met, and how paid.

10. *And be it enacted*, That all acts and parts of acts inconsistent with this act be and the same are hereby repealed, and that this act shall take effect immediately.

Repealer.

Approved April 28, 1886.

CHAPTER CCXII.

A Supplement to an act entitled "An act concerning mortgages" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

Certified copy
of entry or
abstract of
mortgages to
be received as
secondary
evidence.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in every case where an entry or abstract of any mortgage has been or shall be made in the books provided for that purpose, as authorized in the seventeenth section of the act to which this is a supplement, such entry or abstract and a transcript of such entry or abstract, duly certified by the clerk or register in whose office the same is kept, shall be received as secondary evidence in any court of this state, in the same manner as the record of deeds is now received, and shall be proof of the facts therein stated.

Approved April 28, 1886.

CHAPTER CCXIII.

An Act regulating the expenses for the observance of decoration day.

May appropriate a certain sum for the expenses for observance of decoration day.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the board of finance or other governing body of any town or borough in this state having control of the finances of said town or borough, are hereby empowered to appropriate a sum not exceeding one hundred dollars for the observance of decoration day.

2. *And be it enacted*, That this act shall be deemed a public act and take effect immediately.

Approved April 28, 1886.

CHAPTER CCXIV.

Supplement to an act entitled "An act respecting conveyances" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the acknowledgment or proof of any deed or conveyance of lands, tenements or hereditaments, lying and being in this state, heretofore made or that hereafter shall be made before any consular agent of the United States in any foreign kingdom, state, nation or colony in which the said party acknowledging or witness proving the said deed or conveyance happen to be, certified by such consular agent in the manner such acts are usually authenticated by him, shall be as good and effectual as if such acknowledgment of proof had been made in this state before and certified by one of the justices of the supreme court of this state.

Acknowledgments heretofore or hereafter taken before consular agents of the United States declared valid.

2. *And be it enacted*, That hereafter the surrogate in every county of this state be and he is hereby authorized, during his continuance in office, to perform all the duties and exercise all the powers belonging to the office of commissioner for taking the acknowledgment and proof of deeds; and each surrogate aforesaid, upon taking any acknowledgment or proof by virtue of the powers conferred by this act, shall affix to his signature the word surrogate.

Surrogates to exercise powers of commissioners of deeds.

3. *And be it enacted*, That this act shall take effect immediately.

Approved April 28, 1886.

CHAPTER CCXV.

An Act to authorize the issue of bonds for the erection of public buildings and purchase of fire apparatus.

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| Authorized to issue bonds to erect buildings and purchase of fire apparatus. | 1. BE IT ENACTED <i>by the Senate and General Assembly of the State of New Jersey</i> , That it shall be lawful for the common council, town committee or other governing body of any town or city of this state to raise money by the issue of bonds for the purpose of erecting, providing and properly furnishing suitable buildings for the uses and purposes of the town or city government and all departments created by or existing under it, and for the proper equipment of a fire department with necessary apparatus for protection against fire. |
| Bonds issued, what to state upon their face, &c. | 2. <i>And be it enacted</i> , That the said bonds shall state upon their face the purpose for which they were issued, and the term for which such bonds shall run shall not be longer than thirty years, and they shall be redeemable any time after the expiration of five years, at the option of the town or city, and shall be of denomination of not less than five hundred dollars, and the total amount of bonds so issued by authority of this act shall not exceed the sum of thirty thousand dollars, and shall bear a rate of interest not to exceed six per centum per annum, payable semi-annually in the months of January and July; <i>provided</i> , the indebtedness of any such municipal corporation shall not be increased so long as the same shall remain in default in the payment of any past due bonds or the interest thereon; <i>and provided, further</i> , that this act shall not apply to or become operative in any town or city which now has a town or city hall or building as aforesaid. |
| Amount of bonds to be issued, &c. | |
| Proviso. | |
| Proviso. | |
| Interest, &c., on bonds, how raised. | 3. <i>And be it enacted</i> , That the amount necessary for the payment of the interest of said bonds, shall be placed in the appropriations, tax levy or tax ordinance, to be assessed and raised by taxation as other moneys are raised |

for the uses and purposes of the town or city, together with the sum of one thousand dollars in each and every year, which sum, when collected, shall be deposited in the sinking fund of the town or city for the liquidation of the principal of said bonds when due.

4. *And be it enacted*, That all acts and parts of acts conflicting or inconsistent with this act be and the same are hereby repealed, and that this act shall take effect immediately. Repealer.

Approved April 28, 1886.

CHAPTER CCXVI.

An Act concerning inspectors of buildings in cities of this state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in all cities of this state it shall be lawful for the board of aldermen or common council of said cities to appoint one inspector of buildings. Inspector of buildings may be appointed.

2. *And be it enacted*, That said inspector of buildings shall be either an architect, carpenter, mason, or other mechanic, whom said board of aldermen or common council shall deem to be capable to fill the position, and that the duties of said inspector shall consist in the careful inspection of all buildings in the course of erection, and any and all buildings undergoing repairs and alterations, and all buildings, chimneys and structures which have become dangerous or unsafe, and to see that proper precautions are taken for the protection of life and property. Inspector to be a mechanic, and his duties.

3. *And be it enacted*, That before any person or persons shall erect, move, raise, or commence to erect, move or raise, any building or buildings, the person or persons intending or desiring to erect, move or raise said building or buildings, shall first apply for and obtain from said inspector of buildings a permit to do so, and all failures to comply with this requirement shall be punishable by a fine, to be hereafter provided for by ordinance by said No building to be moved or erected without permit. Penalty.

- Proviso. board of aldermen or common council; *provided*, that nothing herein shall affect the present powers of any board of fire commissioners to prohibit and regulate the erection or alteration of buildings and structures.
- Board of aldermen to prescribe duties and to fix compensation of inspector. Term of office. 4. *And be it enacted*, That said board of aldermen or common council shall have power to further prescribe the duties and fix the compensation of said inspector of buildings, either by fee or fixed salary, and to fix his term of office, not to exceed one year.
- Inspector may be removed. Proviso. 5. *And be it enacted*, That said inspector shall at any time be removable for cause; *provided, first*, that charges and specifications having been preferred to said board of aldermen or common council, said board of aldermen or common council, by ballot, shall decide by a two-thirds vote of all the members of said board to remove said inspector of buildings.
- Repealer. 6. *And be it enacted*, That all acts or parts of acts inconsistent with this act are hereby repealed, and that this act shall take effect immediately.
- Approved April 28, 1886.

CHAPTER CCXVII.

An Act providing an additional appropriation for the support of the New Jersey home for disabled soldiers.

- Further appropriation. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in addition to the appropriation now authorized by law the further sum of five thousand dollars is hereby appropriated for the support of the New Jersey home for disabled soldiers for the current year.
- Appropriation, by whom expended. 2. *And be it enacted*, That said sum shall be expended under the direction of the board of managers of said home; and the state treasurer is hereby directed and authorized to pay the same to the treasurer of said home, on the warrant of the comptroller of the state treasury,

out of any moneys in the treasury of this state not otherwise appropriated.

3. *And be it enacted*, That this act shall take effect immediately.

Approved April 28, 1886.

CHAPTER CCXVIII.

A. Further Supplement to an act relative to sales of lands under a public statute or by virtue of any legal proceedings [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four, and the supplement thereto, approved April fourth, one thousand eight hundred and seventy-five.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That no sale of land heretofore made shall be invalidated by reason of the omission to publish the advertisement of such sale in two newspapers printed and published in the county in which such lands are situate, or by omission to print it in a newspaper printed in the county seat of said county at least four weeks successively, once a week, next preceding the time appointed for selling the same, but that any purchaser of lands at such sale shall be entitled to have a deed for the lands so purchased, notwithstanding the sale was not duly advertised in a newspaper published at the county seat of the county in which such lands are situate the full time now required by law; *provided*, the present law has been fully complied with in all other particulars; *provided*, *further*, that when the sale has been made by direction of the court of chancery of the state of New Jersey, an order confirming such sale shall first be made by the chancellor thereof, which order shall be granted when the chancellor shall be satisfied that the land has been sold for a fair price; and a deed so given shall operate to

Sale of lands
not invalidated
by omission to
publish adver-
tisement of
sale in two
newspapers,
&c.

Proviso.

Proviso.

transfer the title of the land to the purchaser as fully as if the sale had been duly advertised as required by the said act and the said supplement thereto.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 28, 1886.

CHAPTER CCXIX.

A Supplement to an act entitled "An act to incorporate benevolent and charitable associations" [Revision], approved April ninth, one thousand eight hundred and seventy-five.

Certain associations may become incorporated.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That organizations or associations, whether of male or female persons, or of both, whose object is the reformation of inebriates, or to encourage temperance, or to promote temperance by obtaining persons to sign temperance pledges, or otherwise, may be incorporated under the act to which this is a supplement, with all the powers, rights and privileges conferred by said act and its supplements, and any such organization or association of persons now existing or hereafter formed, being unincorporated, having a constitution and by-laws, and a board of managers, trustees or directors, or other governing body, may become incorporated by filing a certificate signed by such managers, trustees or directors, or other governing body, in the manner provided by the act to which this is a supplement.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 28, 1886.

CHAPTER CCXX.

A Further Supplement to an act entitled "An act for the formation of borough governments," approved April fifth, one thousand eight hundred and seventy-eight.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the mayor and council, or other legislative body of any borough, be and they hereby are authorized to appoint a corporation counsel and street commissioner, who shall, respectively, hold office for the term of one year, and until their respective successors shall be duly appointed and qualified; they shall respectively perform such service and receive such compensation as the mayor and council or other legislative body shall by ordinance or resolution prescribe.

Authorized to
appoint cor-
poration
counsel and
street com-
missioner.]

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 28, 1886.

CHAPTER CCXXI.

An Act to amend an act entitled "An act to authorize police service in townships," approved April fourth, one thousand eight hundred and eighty-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section three of chapter ninety-two of the general public laws of one thousand eight hundred and eighty-four, be amended so that the same shall read as follows:

Section
amended.

May appoint
police force.

Proviso.

[3. *And be it enacted*, That it shall be lawful in any such township for the township committee to appoint a sufficient number of suitable and competent persons to be members of the police force of said township; *provided, however*, that no person other than a duly elected constable of such township shall be appointed to membership in the township police force, without the affirmative vote of two-thirds of all the members of the township committee.]

Approved April 28, 1886.

CHAPTER CCXXII.

A Supplement to an act entitled "An act relative to guardians and minors" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

Chancellor
authorized to
order and
direct guardian to contract for
erection of
buildings, &c.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That when it shall be made to appear to the chancellor, upon the application of the guardian of a minor or minors, lunatic, insane or feeble minded persons, that the land of such minor or minors, lunatics, insane or feeble minded persons, is occupied in whole or part by old, insecure or dilapidated buildings, or a building or buildings that is or are incapable of producing an income proportionate with the value of the land, and that it would be to the advantage of the estate of such minor or minors, lunatic, insane or feeble minded persons, that a new building or buildings should be erected on said land or that additions should be made to said building, it shall be lawful for the chancellor to order and direct that the guardian of such minor or minors, lunatic, insane or feeble minded persons, be authorized to enter into a contract or contracts for the erection of such building or buildings as may be deemed advisable by the chancellor, and to pay for the same from the proceeds of sale of securities belonging to the estate

of such minor or minors, lunatic, insane or feeble minded persons; but in case it should be deemed more advantageous to the estate of the minor or minors, lunatic, insane or feeble minded persons, not to dispose of such securities, then it shall be lawful for the chancellor to order and direct that the guardian borrow on bond, secured by mortgage on the lands of such minor or minors, lunatic, insane or feeble minded persons, such sum or sums of money as shall be sufficient in amount to pay for the erection and completion of said building or buildings, upon such terms as he may determine.

May order guardian to borrow money, secured by mortgage to pay for erections, &c.

2. *And be it enacted*, That the chancellor may, upon application aforesaid, when it is made to appear that machinery in any building or buildings owned by a minor or minors, lunatic, insane or feeble minded persons, is old and incapable or insufficient to perform the duty required of it, or that additional machinery may be necessary, to order that other and new machinery be procured by such guardian at a price to be approved by the chancellor, and in case of the erection of a new building or buildings to be used for manufacturing purposes, to order the purchase of such machinery as may be necessary to effect the purpose of the use made or to be made of such building or buildings.

May order guardian to purchase machinery, &c.

3. *And be it enacted*, That in case any person entitled to dower in such land shall join in such mortgage, she shall be entitled to receive, during the term of her natural life, one-third of the net proceeds received from said building or buildings, after deducting all taxes, assessments, water rents, repairs, insurance premiums, commissions paid to agents for collecting such rents, and other proper deductions to be first made from said rents.

Persons entitled to dower, what to receive.

4. *And be it enacted*, That when it shall appear to the chancellor, in the manner aforesaid, that it would be to the advantage of the estate of any minor or minors, lunatic, insane or feeble minded persons, to exchange a portion of the land described in such application for land next adjoining thereto, in order that the land of such minor or minors, lunatic, insane or feeble minded persons, may not be separated by the land of another, it shall be lawful for the chancellor to order and direct such exchange to be made, upon such terms as he may deter-

Chancellor may order exchange of lands, &c.

Proviso.

mine; *provided*, that such adjoining land owner consents in writing to the making of such order.

5. *And be it enacted*, That this act shall take effect immediately.

Approved April 28, 1886.

CHAPTER CCXXIII.

A Supplement to an act entitled "An act for the support and improvement of the New Jersey School for Deaf Mutes," approved March twenty-sixth, one thousand eight hundred and eighty-five.

Appropriations
for sewer,
repairs, invest-
ments, &c.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That to enable the trustees of the New Jersey School for Deaf Mutes to construct a main sewer for the proper drainage of the school building; to purchase and repair furniture and school apparatus; to make needed repairs and improvements in the buildings and grounds of the school, and to purchase the necessary appliances for the establishment of a system of mechanical instruction of the pupils, there is hereby appropriated the sum of ten thousand dollars, the same to be paid from any moneys in the treasury not otherwise appropriated, upon the requisition of the president of the board of trustees, and to be used for no other purposes than those specified in said act.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 28, 1886.

CHAPTER CCXXIV.

A Supplement to an act entitled "A supplement to an act for the organization of the New Jersey home for disabled soldiers," approved March twenty-sixth, one thousand eight hundred and eighty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Henry W. Sawyer, of the county of Cape May, be and he is hereby appointed a member of the commission authorized by the act entitled "A supplement to an act entitled 'An act to provide for the organization of the New Jersey home for disabled soldiers,'" approved March twenty-sixth, one thousand eight hundred and eighty-six, in place of William E. Potter, resigned.

Appointment
of Henry W.
Sawyer as
member of the
commission.

2. *And be it enacted*, That this act shall take effect immediately.

Approved April 28, 1886.

CHAPTER CCXXV.

An Act concerning contagious and infectious diseases among animals, and to repeal certain acts relating thereto.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in case any contagious or infectious disease shall appear or be suspected to exist in any locality in this state, it shall be the duty of all persons owning or having any interest in animals infected or supposed to be infected, and of any person having knowl-

Owners of
animals
infected to
notify state
board of health.

- edge or suspicion thereof, at once to notify the state board of health, or some officer or member of said board, of the facts, and it shall be the duty of the said board, upon receiving such information, or any information in regard thereto, to investigate the same, or cause the same to be investigated, and if any such disease is found to exist, or likely to break out, to quarantine such animal or animals, and to take such precautionary measures with relation to other animals exposed to such disease as shall be deemed necessary, and to enforce such regulations in relation to such diseases as the said board may adopt.
- Board authorized to quarantine, &c.** 2. *And be it enacted*, That whenever in the judgment of the said board, its agents or appointees, it shall appear that such disease is not likely to yield to remedial treatment, or that the expense of such treatment will be greater than the value of the animal or animals infected; and when in any case such disease is likely, in the judgment of said board, its agents or appointees, to be communicated to other animals, they shall cause the animals infected to be immediately slaughtered, their remains to be buried at least four feet beneath the surface of the ground, and all places in which the same have been kept to be thoroughly cleansed and disinfected.
- When state board may cause infected animals to be slaughtered and buried.** 3. *And be it enacted*, That when any animal or animals shall be slaughtered as directed in the preceding section, the value of the same may, at the request of said board or any person interested, be ascertained and appraised by three disinterested freeholders resident in this state, who shall make and sign a certificate thereof, in the presence of a witness who shall attest the same; such appraisal shall be made on the basis of the market value of the animal or animals slaughtered, just prior to the time when they became so diseased, and shall be limited to the sum of one hundred dollars for registered animals, and to forty dollars for all others; one-half of the valuation so ascertained shall be paid by the state on the presentation of such certificate, with the approval of the said board endorsed thereon, to the owner or owners.
- Value of animals slaughtered, how ascertained and appraised.** 4. *And be it enacted*, That when any herd or portion thereof has been or is so exposed to any contagious or infectious disease, and the state board of health deem the disease likely to spread to that portion of the herd still un-
- Limitation of value, and by whom paid.**
- State board may cause herds to be inoculated to prevent spread of disease, &c.**

affected, although isolated or quarantined, said herd may, with the consent of the owner or owners, and with the restrictions agreed upon between them and the executive officer of the state board of health, cause or allow said herd or herds to be inoculated for the prevention of such diseases as can be thus mitigated; but any loss resulting from such inoculation shall not constitute any claim against the state, or the board of health; *provided*, that inoculation for pleuro-pneumonia shall in no case be allowed without the consent and approval of the state board of health, and shall be made under its direction.

5. *And be it enacted*, That when any city, township or district shall be threatened with any contagious or infectious disease among animals to such an extent as to seem to require more general precautions, the state board of health shall notify the local board of health, and, with the advice and consent of the local board of health, may for a time prohibit the bringing of any cattle into such city, township or district without inspection and a written permission, and may prohibit the running at large of animals in any township, if not already prohibited by law, for such time as the township board of health shall advise; and the state board of health may call upon local boards of health to discover and report cases of contagious disease and aid in measures for its abatement and prevention.

6. *And be it enacted*, That when any animal or herd of animals is held in quarantine under authority given by the laws of this state to the state board of health, it shall not be lawful for the owner or keeper thereof to add any animals to such herd, by purchase or otherwise, without the written consent of said board, under penalty of being adjudged guilty of a misdemeanor and fined therefor to an amount not exceeding one hundred dollars.

7. *And be it enacted*, That any person or persons refusing or neglecting to notify said board of health, or any one of them, of the existence of pleuro-pneumonia, rinderpest, or any other contagious or infectious disease among animals, shall be deemed and adjudged guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than two hundred dollars, or by imprisonment not exceeding one year, or both, at the discretion of

State board to
notify local
boards of
threatened
contagious
diseases, &c.

May prohibit
bringing of
cattle without
inspection,
and running at
large, &c.

Unlawful for
owners to add
any animals to
herd in quaran-
tine.

Penalty.

Penalty for
refusing or
neglecting to
notify board of
contagious
diseases.

Penalty for
buying or sell-
ing animals
affected with
contagious
diseases.

the court; and that if any person or persons shall knowingly buy or sell or cause to be bought or sold any animal or animals affected with the pleuro-pneumonia, rinderpest, or any other contagious or infectious disease, or that has been exposed to a contagious or infectious disease, or is a part of any herd or stock held in quarantine, all such person or persons shall be deemed and adjudged guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding two hundred dollars, or imprisonment not exceeding one year, or both, at the discretion of the court.

When impossi-
ble to bury
dead animals,
board may
authorize
disposal.

8. *And be it enacted*, That when, by reason of the locality of an infected animal or herd within a city, or by reason of frozen ground or extreme heat, it is, in the judgment of the state board of health, or those acting under its authority, inexpedient or impossible to bury any such dead or slaughtered animals on the premises, the board may authorize any veterinarian acting for said board to slash the skin and cut the flesh of the same, and, either under his direct oversight, or that of a city board of health, or contractor for the disposal of dead carcasses, to give over the same to the use of a bone-boiling or glue or other establishment for the disposal of dead animals, but in no case shall the same, or any part thereof, be disposed of for food, and any such disposal of the same shall make the party or parties concerned guilty of a misdemeanor and punishable by a fine not to exceed one hundred dollars, or imprisonment in the county jail for a period not exceeding six months.

Penalty for
disposing of
dead animals
for food.

Post mortem
examination
may be made
between cer-
tain dates.

9. *And be it enacted*, That if, between the first day of October and the first day of May of any year, a veterinarian who has been regularly graduated in veterinary medicine, desire to make a post mortem examination of any animal he has attended, or at the request of the owner of any animal that has died within the city limits, he may do so, if such examination is made within twenty hours of the death or slaughter of said animal; in every such case he shall notify the city scavenger, or remover of carcasses of animals, of the hour of his examination, and said scavenger shall arrange to remove the carcass in not more than three hours after the beginning of said examination.

Carcass to be
removed, &c.

10. *And be it enacted*, That it shall be the duty of the

state board of health to keep a full and complete record of all the proceedings under this act and report the same annually to the state board of agriculture, and such report shall be printed in and form a part of the annual report of said board of agriculture.

11. *And be it enacted*, That the sum of two thousand dollars is hereby annually appropriated to the state board of health to defray the expenses of the said board in the duties imposed by this act, and that the governor, secretary of state and the comptroller be and they are hereby authorized to determine what sum annually shall be allowed to said board or any member thereof for services in the oversight and execution of the duties hereby imposed, but the amount allowed shall not exceed the sum of five hundred dollars in any one year.

12. *And be it enacted*, That if, on account of the prevalence of any contagious disease of animals, or the necessary guarding against the same, any greater expenditure shall seem to be required, the state board of health shall present the facts to the governor, the secretary of state and the comptroller, who shall authorize such additional amount as they may think necessary, but in no case shall the yearly amount thus authorized to be expended exceed five thousand dollars.

13. *And be it enacted*, That all bills for money expended under this act shall be audited by the comptroller of this state, and then submitted to the governor for his approval, and after being thus audited and approved by the governor, shall be paid by the state treasurer upon warrant of the comptroller.

14. *And be it enacted*, That the following acts, to wit: (1) A supplement to an act entitled "An act to establish a state board of health," approved March ninth, one thousand eight hundred and seventy-seven, which act was approved on the twelfth day of March, one thousand eight hundred and eighty; (2) A further supplement to an act entitled "A supplement to an act entitled 'An act to establish a state board of health,'" approved March ninth, one thousand eight hundred and seventy-seven, which supplement was approved March twelfth, one thousand eight hundred and eighty, which further supplement was approved on the twenty-third day of March,

one thousand eight hundred and eighty-one; (3) A supplement to an act entitled "An act to establish a state board of health," approved March ninth, one thousand eight hundred and seventy-seven, which supplement was approved March twelfth, one thousand eight hundred and eighty, and also a supplement to the further supplement to said act, approved March twenty-third, one thousand eight hundred and eighty-one, which supplement was approved March seventeenth, one thousand eight hundred and eighty-two; (4) Supplement to an act entitled "An act to establish a board of health," approved March ninth, one thousand eight hundred and seventy-seven, and to supplements thereto relating to the contagious diseases of animals, which supplement was approved on March twenty-second, one thousand eight hundred and eighty-three, and all other acts and parts of acts, inconsistent with the provisions hereof, be and the same hereby are repealed, but any rights acquired under the said acts or either of them and any suits pending under the same shall not be affected by the repeal.

15. *And be it enacted*, That this act shall take effect immediately.

Approved May 4, 1886.

CHAPTER CCXXVI.

An Act to regulate the publication and printing of the public laws of this state in the newspapers thereof.

Proprietors of newspapers to enter into contract with the state to have type set up in the state, &c.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That hereafter it shall not be lawful for the public laws to be given to any newspaper for the publication of the same unless the proprietor or proprietors of said newspaper shall enter into a contract with the state to have the type for the printing of same in said newspaper set up in some composing room in this state, and published within sixty days after adjournment of the legislature.

2. *And be it enacted*, That all acts or parts of acts inconsistent herewith be and the same are hereby repealed.

3. *And be it enacted*, That this act shall take effect immediately.

Approved May 4, 1886.

CHAPTER CCXXVII.

An Act relating to sewers in townships.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of any township to grant consent to any person or persons, corporation or corporations, to lay a pipe or pipes in any of the streets or public highways in said township for the purposes of sewers, upon such terms or conditions as to said committee may seem expedient, and to open, dig and excavate in such streets or highways, as often as may be necessary to lay, examine and repair or replace said pipe or pipes, or to make connections therewith for the purposes aforesaid, doing no unnecessary damage to said streets or highways, and the entire work to be done under the direction or supervision of said committee or its authorized agents; *provided*, that this act shall not apply to any township in which there is an incorporated town.

2. *And be it enacted*, That this act shall be deemed a public act and shall take effect immediately.

Passed May 4, 1886.

CHAPTER CCXXVIII.

An Act to amend an act entitled "An act for the formation of borough commissioners," approved March seventh, one thousand eight hundred and eighty-two.

Section
amended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section four of the act to which this is amendatory be and the same is hereby amended so as to read as follows :

Election of
commis-
sioners, when
to be held and
their powers.

[4. *And be it enacted*, That the legal voters of the said borough shall make and hold an election in said borough on the first Tuesday of April hereafter, at which election there shall be chosen, by a plurality of the votes cast, seven commissioners, who shall be freeholders or taxpayers on personal property, but a majority of whom shall be freeholders of the said borough, who shall be denominated "The Board of Commissioners of the Borough Commission of _____," and by that name they and their successors in office may sue and be sued, make contracts and agreements, make regulations and ordinances, and impose penalties, not exceeding fifty dollars in amount, for the purpose of carrying out and effecting the objects and purposes of this act; *provided*, that nothing in this section shall be so construed as to prevent the election of two of the aforesaid commissioners who may reside beyond the limits of said borough; *and it is further provided*, that nothing in this section shall be so construed as to prevent the first election for said seven borough commissioners being held at any time within three months after the incorporation of any borough under this act.]

Proviso.

Proviso.

2. *And be it enacted*, That this act shall take effect immediately.

Passed May 4, 1886.

CHAPTER CCXXIX.

A Supplement to an act entitled "An act regulating proceedings on forfeited recognizances, and appropriating the moneys arising from the same and from fines and amercements" [Revision], approved April fifteenth, one thousand eight hundred and forty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the several courts of this state having jurisdiction of forfeited recognizances ^{Judgments may be rendered for penalty or part thereof.} may render judgment for the whole of such penalty, with interest, or on application of the defendant, for any part thereof, according to the circumstances of the case and the situation of the party, and upon such terms and conditions as the court deems just and reasonable, and are hereby empowered to cause such recognizances to be levied, moderated or remitted, and judgments entered thereon, to be satisfied according to their discretion.

2. *And be it enacted*, That this act shall take effect immediately.

Passed May 4, 1886.

CHAPTER CCXXX.

An Act extending the provisions of the general school laws of this state to school districts now subject to special or local laws.

Preamble.

WHEREAS, Certain school districts in this state are subject to the provisions of special or local laws applicable to such districts, and it is deemed desirable that such districts should be governed solely by the provisions of the general school law of this state; therefore,

Districts relieved from provisions of special or local laws upon adoption of this act.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any such district may be relieved from the provisions and limitations of such special or local laws upon the adoption of the provisions of this act by the legal voters of said district at any meeting of such voters called for the purpose, as hereinafter provided.

Trustees may submit question of adoption to voters of district.

2. *And be it enacted*, That whenever the trustees of any such district shall by resolution decide to submit the question of the adoption of this act to the voters of the district, they shall call a meeting for that purpose, giving notice of the time, place and object of said meeting, in the manner provided for the calling of school meetings by the eighty-sixth section of the "Act to establish a system of public instruction" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-

Upon adoption by legal voters, district to be governed by general school laws.

four, and if at any such meeting a majority of the legal voters present shall vote to adopt the provisions of this act, thereafter said district shall be governed solely by the general school laws of this state applicable thereto, instead of the special act, and the said trustees shall forthwith file a certificate with the county school superintendent, setting forth the determination of such meeting.

Certificate to be filed.

Upon adoption district to retain all property, &c.

3. *And be it enacted*, That in case of the adoption of this act by any district, the said district shall retain all its property, real and personal, and be subject to any lawful

obligations it may have incurred, in the same manner and to the same extent as if the provisions of this act had not been adopted.

4. *And be it enacted*, That this act shall take effect immediately.

Passed May 4, 1886.

CHAPTER CCXXXI.

A Further Supplement to "An act to enable cities to supply the inhabitants thereof with pure and wholesome water," approved April twenty-first, one thousand eight hundred and seventy-six.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That the provisions of the fifth section of the act to which this a supplement, for work involving an expenditure exceeding five hundred dollars, shall not be construed to apply to the compensation of engineers.

Passed May 4, 1886.

CHAPTER CCXXXII.

A Supplement to an act entitled "An act to provide for the incorporation of street railway companies and to regulate the same," approved April sixth, one thousand eight hundred and eighty-six.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That the act to which this is a supplement shall apply to all avenues, streets, roads and alley-ways laid out by private individuals in towns or villages, and parts adjacent thereto, which are not under the control of aldermen, town councils or township committees, and where there is any doubt as to such control,

Provisions of
fifth section of
act, how con-
strued.

Act to apply to
all avenues,
streets, roads,
&c., laid out by
private indi-
viduals, &c.

Proviso.

and in such cases the signatures of a majority of the property holders fronting on such avenues, streets, roads or alley-ways, attested as provided for in said act, and duly filed in the clerk's office of the county in which such railway is proposed to be laid, shall be a sufficient grant for that purpose; *provided*, that this shall not apply to avenues, streets, roads or alley-ways now controlled by any township, plank-road, railway, or other corporations, without their consent, as provided in said act.

2. *And be it enacted*, That this act shall take effect immediately.

Passed May 4, 1886.

CHAPTER CCXXXIII.

An Act to authorize cities in this state to remit and cancel taxes which appear as liens against property, where the same has been purchased on the faith of searches made by city officers having control of the record of such liens, showing that such liens did not exist at the date of such purchase.

When cities may be authorized to remit and cancel tax assessments prior to 1875.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for the cities of this state to authorize the remission and cancellation of any tax or assessment prior to one thousand eight hundred and seventy-five, which appears as a lien upon any property therein, when it shall be shown to the satisfaction of the common council or other governing board or body having control of the finances therein, that the property upon which such lien exists was purchased on the faith of searches made before the year one thousand eight hundred and seventy-five by an officer of such city having control of the record of such liens, and that such search certified at the date of such purchase such lien did not exist.

2. *And be it enacted*, That this act shall take effect immediately.

Passed May 4, 1886.

CHAPTER CCXXXIV.

An Act providing for the appointment of collectors of arrears of taxes in towns of this state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the town council or other governing body of each incorporated town in this state may annually, within thirty days after the organization of that body, appoint an officer who shall be known and designated as "collector of arrears of taxes," who shall hold his office for the term of one year from the date of his appointment, and until his successor shall be duly appointed and qualified.

Appointment
and term of
office of "col-
lector of
arrears of
taxes."

2. *And be it enacted*, That every person appointed to such office shall, within twenty days after the date of his appointment, enter into bond to the town (by its corporate name), in such sum and with such sureties as shall be required and approved of by the council, conditioned for the faithful performance of all duties required of him, as such officer, by law; and in case he shall fail or neglect so to do, the council may rescind and vacate such appointment, and shall make a new appointment to said office.

Collector to
give bond.

3. *And be it enacted*, That the council may by ordinance prescribe as compensation for the services of such officer, a percentage of the gross amount collected by him, not exceeding two per centum thereof.

Compensation
to be pre-
scribed by
ordinance.

4. *And be it enacted*, That all warrants hereafter issued in any town for the collection of delinquent taxes therein, shall be directed and delivered to the collector of arrears of taxes, and the said collector of arrears of taxes shall, in the execution of said warrant or warrants, have the same powers and perform the same duties, and be subject to the same forfeitures as is prescribed to and imposed upon constables or collectors of taxes in and by the act entitled "An act concerning taxes," approved April four-

Warrants to be
delivered to
and executed
by the col-
lector.

Powers and
duties of
collector.

teenth, one thousand eight hundred and forty-six, and the several supplements thereto.

Repealer.

5. *And be it enacted*, That all acts and parts of acts, general special, local, public or private, inconsistent herewith, be and the same are hereby repealed.

Act not to
apply to incor-
porated cities.

6. *And be it enacted*, That this act shall take effect immediately, and shall not apply to any incorporated city.

Passed May 4, 1886.

CHAPTER CCXXXVI.

Supplement to an act entitled "An act to provide for the drainage of lands," approved March eighth, one thousand eight hundred and seventy-one.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That section eight of the act entitled "An act to provide for the drainage of lands," approved March eighth, one thousand eight hundred and seventy-one, which reads as follows:

Section
repealed.

"8. *And be it enacted*, That this act shall not extend to any salt marshes or lands flowed by tide-water," be and the same is hereby repealed.

Act extended
to salt marshes
or lands flowed
by tide-water.

2. *And be it enacted*, That all the provisions of the act to which this is a supplement, shall be and the same are extended to any salt marshes or lands flowed by tide-water in this state.

3. *And be it enacted*, That this act shall take effect immediately.

Approved May 11, 1886.

CHAPTER CCXXXVII.

An Act to protect the planting and cultivating of oysters
in the tide-waters of the county of Ocean.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any person or persons, citizens of this state, now or hereafter holding, using, or occupying any grounds lying under the tide-waters of the county of Ocean, for the planting or cultivating of oysters thereon, not now known and recognized as natural oyster seed beds, from which there is now gathered seed or young oysters for planting purposes, shall be confirmed in their holding or right to use such grounds for the purpose of planting and cultivating of oysters, and the oysters planted and growing thereon shall be the personal property of the person or persons holding, using or occupying the grounds as aforesaid; *provided*, the said grounds shall have been marked by proper stakes, buoys or suitable monuments, and oysters shall have been actually planted upon the grounds so marked off.

The holding or right to use grounds under tide water in Ocean county for cultivation of oysters confirmed.

Proviso.

2. *And be it enacted*, That upon the grounds now or hereafter held, used or occupied as aforesaid, the person or persons holding, using or occupying the same, may plant, cultivate and gather oysters; they may shell said grounds and gather the oysters that may grow thereon, and all oysters on said grounds shall be deemed and taken to be their personal property; and every person or persons who shall gather, catch or take oysters, clams or shells from any lot of ground held, used or occupied as aforesaid, without the permission of the person or persons holding, using or occupying the same, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not greater than one hundred dollars, or be confined in the county jail for a period not exceeding six months, or both at the discretion of the court.

Persons authorized to plant, &c., oysters on ground now or hereafter used or occupied.

Penalty for gathering oysters, &c., without permission of persons holding ground.

Grounds used
for clamming
purposes not
to be used for
cultivation of
oysters.

3. *And be it enacted*, That no grounds now used and set apart for clamming purposes in said county shall be occupied and used for the purpose of planting or cultivating oysters.

Stakes used
not to impede
navigation, &c.

4. *And be it enacted*, That all stakes used for the purpose aforesaid shall be elastic and yielding, and shall not impede navigation nor interfere with the drawing of seines in any place now established and customarily used for seine fishing.

Who deemed
trespassers.

5. *And be it enacted*, That any person or persons who shall plant oysters upon any of the natural oyster beds lying under the waters aforesaid, now known and recognized as natural oyster beds, and from which there is now gathered seed or young oysters for planting purposes, shall be deemed trespassers, and such planted oysters shall be forfeited to the public, who shall have the right and privilege of going upon said beds and taking said planted oysters and converting the same to their own use at any time when it is now lawful to take oysters from said natural beds.

Oysters
planted for-
feited to the
public.

Act not to give
right or title to
lands as
against the
state.

6. *And be it enacted*, That nothing in this act contained shall give any person or persons the right or title to any of said lands as against the state, and the state may at any time alter or repeal this law, or the riparian commissioners may make grants the same as if this act had not been passed.

7. *And be it enacted*, That this act shall be deemed a public act and shall take effect immediately.

Approved May 11, 1886.

CHAPTER CCXXXVIII.

A Supplement to an act entitled "An act concerning corporations" [Revision], approved April seventh, one thousand eight hundred and seventy-five.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all real and personal estate of every manufacturing company or corporation shall be taxed the same as the real and personal estate of an individual. Real and personal estate of manufacturing corporations, how taxed.

2. *And be it enacted*, That all acts or parts of acts to which this is a supplement conflicting with this act be and the same are hereby repealed, and that this act shall take effect immediately. Repealer.

Approved May 11, 1886.

CHAPTER CCXXXIX.

A Supplement to an act entitled "An act concerning divorces" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the court of chancery shall have jurisdiction of all cases of divorce in case of adultery committed out of this state, where the complainant or defendant was or shall have been a resident of this state for three years next preceding the time when said bill was or shall hereafter be filed. When court of chancery to have jurisdiction in divorce cases in case of adultery committed out of state.

2. *And be it enacted*, That this act shall take effect immediately.

Approved May 11, 1886.

CHAPTER CCXL.

A Supplement to an act entitled "An act respecting assessments in cities," approved April twenty-first, one thousand eight hundred and seventy-six.

Repealer.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all acts or parts of acts, either general or special, and all or any provisions of any city charter which are inconsistent with the provisions of the act to which this is a supplement, be and the same are hereby repealed.

2. *And be it enacted*, That this act shall take effect immediately.

Passed May 11, 1886.

CHAPTER CCXLI.

A Supplement to an act entitled "An act to secure the performance of contracts for city improvements within the time required by such contract," approved February eighth, eighteen hundred and eighty-three.

Advertisement
to contain
number of
days to be
allowed for
completion of
improvement.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever any city in this state shall publish an advertisement for proposals for any improvement to be made in any such city, such advertisement shall contain a statement of the number of days to be allowed for the completion of such improvement.

2. *And be it enacted*, That the contract entered into between any such city and any contractor, for every improvement in any such city, shall also contain a statement of

the number of days to be allowed for the completion of any such improvement; and such contract shall provide that in case of the non-completion of any such improvement within the time so specified and allowed, any such city may deduct and retain out of the moneys due or which may be or become due to the contractor from any such city, such sum as shall be sufficient to pay the wages of the inspector or inspectors of any such improvement for each and every working day from the time so allowed for the completion of any such improvement up to the time when the same shall have been completed; *provided, however*, that, when, in the making of any such improvement, it shall be found that the work actually to be done and performed is in excess of the quantity of work estimated in any such advertisement or contract to be done, then such deduction for the payment of such inspector's wages shall be allowed only from and after the time, in addition to the time first allowed, when such excess of work could reasonably be expected to be completed.

Contract to contain number of days allowed for completion of improvement, &c.

Proviso.

3. *And be it enacted*, That the word "day" wherever the same occurs in this act, shall be deemed and taken to be a day fit for work in the making of any such improvement.

Word "day," how deemed and taken.

4. *And be it enacted*, That all acts and parts of acts inconsistent with this act be and the same are hereby repealed.

Repealer.

5. *And be it enacted*, That this act shall take effect immediately.

Passed May 11, 1886.

CHAPTER CCXLII.

An Act concerning turnpike roads and bridges connected with the same.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That whenever a majority of the

- Board of free-
holders
authorized to
purchase turn-
pike roads and
bridges, and
maintain the
same.
- Proviso.
- Repealer.
- board of chosen freeholders of any county of this state shall agree by and with the consent of the presiding officer upon the utility of maintaining any turnpike road and bridges connected with said road, being private or incorporated property, as a free public road and bridge, it shall be lawful for said chosen freeholders, at the expense of the county, to purchase said road and bridges and maintain the same free for public use; *provided*, not more than fifty thousand dollars shall be expended by any county in the purchase of any turnpike or turnpikes under this act.
2. *And be it enacted*, That so much of the act of incorporation of any turnpike road and bridge company heretofore incorporated as is incompatible with this act be and the same is hereby repealed.
3. *And be it enacted*, That this act shall take effect immediately.
- Passed May 11, 1886.

CHAPTER CCXLIII.

A Further Supplement to an act entitled "An act concerning taxes," approved April fourteenth, one thousand eight hundred and forty-six.

- Farms or
tracts acquired
to be assessed
in township
where situate.
1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That where a farm or tract of land lying adjacent to lands upon which the owner resides shall be, or may heretofore, since eighteen hundred and eighty-one have been, acquired by such owner, by transfer separate from the transfer by which he acquired the lands on which he resides, such farm or tract so acquired shall not, by reason of the change of ownership, be assessed in the township where such owner resides, but shall be assessed in the township where the same is situate.

2. *And be it enacted*, That all acts and parts of acts in- Repealer.
consistent with the provisions of this act be and the same
are hereby repealed, and this act shall take effect im-
mediately.

Passed May 11, 1886.

CHAPTER CCXLIV.

A Supplement to an act entitled "An act for the forma-
tion of borough governments in seaside resorts,"
approved March twenty-ninth, one thousand eight hun-
dred and seventy-eight.

1. BE IT ENACTED *by the Senate and General Assembly of* Common
the State of New Jersey, That the common council of all council em-
boroughs incorporated or organized under the provisions powered to pro-
of the act to which this is a supplement, shall have power, vide by
by ordinance, to provide for the grading and graveling of ordinance for
the streets in such borough in the following manner, viz.: to grade and
upon the majority of the property owners on any street gravel streets,
or avenue, or specified part thereof, making application &c.
to the borough council for the grading and graveling of
any street or avenue, or specified part thereof, such coun-
cil may authorize such street or avenue, or specified part
thereof, to be graded and graveled in a specified manner
and within a specified time; and if at the end of the time
so specified by such council, the owners of the property
on such street or avenue, or part thereof, shall have neg-
lected to grade and gravel the same, or any part thereof,
it shall be lawful for such borough council to cause the
same to be graded and graveled at the expense of such
borough, and the costs of such grading and graveling
may be assessed by such borough against each property
adjoining such grading and graveling, to the extent to
which each of such properties is severally benefited by
such grading and graveling.

Street com-
mittee to
assess
amounts upon
property
benefited.

Assessment
not paid lands
may be sold.

Owners refus-
ing or neglect-
ing to pay
assessments
heretofore
made, street
committee to
re-assess
amounts.

Assessments,
how collected.

2. *And be it enacted*, That the street committee of each such borough shall, upon the completion of any grading and graveling performed by such borough in pursuance of the preceding section, make an assessment of the several amounts which each of such adjoining properties have been benefited by such street improvement, and file such assessments with the clerk of such borough, whereupon the same shall become a lien upon the land so assessed; and if any such assessment shall remain unpaid by the owners of the land so assessed for the space of thirty days after the same is so filed with said borough clerk, it shall be lawful for such borough council to forthwith cause such lands to be sold for the payment of such assessment, in the same manner as land is now sold by law for taxes.

3. *And be it enacted*, That in all cases where any street or alley, or part thereof, in any such borough has been graded, graveled, or graded and graveled, and the cost thereof paid by such borough and charged to the owner or owners of the adjoining properties, and such owner or owners have neglected or refused to pay for the same, it shall be lawful for the street committee of such borough to meet and assess against such adjoining properties the amount that each such property has been benefited by such street improvement, and after such assessment shall have been on file with the borough clerk for thirty days, such assessment may be enforced as provided for in the preceding section.

4. *And be it enacted*, That this act shall take effect immediately.

Passed May 11, 1886.

CHAPTER CCXLV.

An Act concerning towns and cities.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the common council or other legislative body of any city,

town or township, to purchase a suitable building, or to build upon any land which said corporation may own, or purchase land and erect a building for a public town, township or ward hall, for the use of the people thereof, to hold their public meetings and have their public offices located therein; *provided*, the cost thereof does not exceed the sum of ten thousand dollars; *provided, further*, two-thirds of the legal voters in said town, township, or in a ward of said cities, at any public election, shall be in favor of having the same, and those in favor of having a public hall shall each deposit a ballot containing the words, "For a public hall," and those who are opposed shall each deposit a ballot with the words, "Against a public hall"; *provided, further*, ten days' public notice shall be given before the day of election, in a newspaper circulating in said corporation and ward, by the clerk of the town, township, city, or by a printed notice posted in one hundred public places, with the names of at least fifty property owners printed thereon, that the question of having a public hall will be voted on at the next election.

Authorized to purchase land and erect buildings, or to purchase suitable building for town purposes.

Proviso.

Proviso.

Proviso.

2. *And be it enacted*, That if two-thirds of the legal voters in a town, township or ward in any of said corporations, should be in favor of a public hall, then the municipal authority of said corporations shall have power to raise by tax, in one or more years, such sum or sums of money from the taxable property in the township, town or ward, as they shall deem necessary to pay for the erection of said hall; *provided*, the same does not exceed said sum of ten thousand dollars.

When authorities empowered to raise amount by tax.

Proviso.

3. *And be it enacted*, That the said municipal authority of said corporation shall, as soon as they shall have collected ninety per centum of said ten thousand dollars, prepare plans and advertise for bids for the erection of said hall, in the same manner as they now do for the erection of public schools or other public buildings, the balance of ten per centum to be used out of any contingent fund said corporation may have, the same to be repaid as soon as it is collected.

When ninety per centum of amount is collected authorities to prepare plans and advertise for bids, &c.

4. *And be it enacted*, That said municipal authority shall each year place in their tax levy, and collect from said town, township or ward, a sum sufficient to take care of

Amount necessary for repairs, &c., in each year, to be placed in tax levy.

said hall, which shall include the necessary repairs, heating, lighting, and salary or wages of a janitor.

Municipal
authority to
make rules, &c.

5. *And be it enacted*, That said municipal authority shall make rules and regulations for the use of the hall by the citizens thereof, and during the month when the citizens wish to use the hall for election purposes, they shall so arrange that each political party shall have an equal use of the hall, as near as it can practically be done.

Building may
be rented.

6. *And be it enacted*, That said corporation may rent out or use a portion of the building not required for public, private or select meetings and public offices, for public school purposes.

7. *And be it enacted*, That this act shall take effect immediately.

Passed May 11, 1886.

CHAPTER CCXLVI.

An Act to regulate and establish the compensation of the law or president judges of the courts of common pleas of the counties of this state.

Annual
salaries of law
or president
judges regu-
lated and
established.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the law or president judges of the courts of common pleas of the counties of this state shall be paid an annual salary in proportion to the population of said counties respectively, as hereinafter provided, that is to say: the annual salary of each law or president judge aforesaid shall be fifteen hundred dollars in counties where the population is not more than thirty-nine thousand; two thousand dollars in counties where the population is more than thirty-nine thousand and not more than forty-nine thousand; two thousand dollars in counties where the population is more than forty-nine thousand and not more than fifty-nine thousand; twenty-seven hundred dollars in counties where the population is more than fifty-nine thousand and not

more than sixty-nine thousand; twenty-five hundred dollars in counties where the population is more than sixty-nine thousand and not more than seventy-nine thousand; thirty-five hundred dollars in counties where the population is more than seventy-nine thousand and not more than eighty-nine thousand; thirty-nine hundred dollars in counties where the population is more than eighty-nine thousand and not more than ninety-nine thousand; forty-three hundred dollars in counties where the population is more than ninety-nine thousand and not more than one hundred and nine thousand; forty-seven hundred dollars in counties where the population is more than one hundred and nine thousand and not more than one hundred and nineteen thousand; fifty-one hundred dollars in counties where the population is more than one hundred and nineteen thousand and not more than one hundred and twenty-nine thousand; and fifty-five hundred dollars in counties where the population is more than one hundred and twenty-nine thousand and not more than one hundred and thirty-nine thousand; and fifty-nine hundred dollars in counties where the population is more than one hundred and thirty-nine thousand.

2. *And be it enacted*, That the annual salary to be paid any of said judges under this act shall be based upon the total population of the county as ascertained and determined by the state or federal census taken or to be taken next before the commencement of the term of office of each judge; and the annual salary thus ascertained and determined shall be paid to each judge during his whole term of office by the collector of the county, in equal monthly payments, and said salary shall be in lieu of all fees.

Annual salaries, how based and determined.

3. *And be it enacted*, That this act shall only apply to law or president judges of the courts of common pleas whose term of office shall hereafter commence, or to those now in office who may file their assent in writing under their hands, to the provisions of this act, in the office of the clerk of the county the law or president judge of which assents as above provided; and in case any judge now in office shall assent, as above provided, the amount of his annual salary shall be ascertained and determined by the state census of the year one thousand eight hun-

Act to apply to judges whose term of office shall hereafter commence, or shall file assent.

dred and eighty-five, and shall be paid to him under the provisions of this act from and after the date of filing his assent as aforesaid by the collector of the county, in equal monthly payments.

Repealer.

4. *And be it enacted*, That all acts or parts of acts, whether general, special or local, inconsistent with the provisions of this act are hereby repealed, and that this act shall be a public act and take effect immediately.

Passed May 11, 1886.

CHAPTER CCXLVII.

A Supplement to an act entitled "An act concerning the removal of trust property out of this state and providing proceedings therefor," approved March sixth, one thousand eight hundred and eighty-six.

Upon petition
chancellor may
order transfer
of trust funds
to custody of
court of
another state
or trustee.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the chancellor of this state shall have power, in his discretion, upon the petition of any party interested in any suit or proceedings in the court of chancery, after investigation, to order the transfer and to transfer any trust funds in the custody of or under the control of the court of chancery, including the proceeds of sale of lands made by order of said court, unto the custody of the proper court of another state, or unto the custody of a trustee appointed by such court of another state wherein all of the beneficiaries reside, or wherein all the beneficiaries who are in esse at the time of making such order reside.

Transfer not to
be made until
trustee has
given security.

2. *And be it enacted*, That before making such transfer to a trustee appointed in another state, the chancellor shall be satisfied that such trustee has given adequate security, as required by the second section of the act to which this is a supplement.

3. *And be it enacted*, That this act shall take effect immediately.

Approved May 11, 1886.

CHAPTER CCXLVIII.

A Supplement to the act entitled "An act for the organization of the national guard of the state of New Jersey," approved March ninth, one thousand eight hundred and sixty-nine.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever any member of the national guard shall have served therein as a commissioned officer for a period of over ten years, he may apply to the governor and commander-in-chief to be placed upon the retired list; thereupon, the governor shall be empowered, and he is hereby authorized, upon such application of an officer of the national guard qualified as aforesaid, to place said officer upon the retired list.

Governor
authorized
upon applica-
tion to place
officers upon
retired list.

2. *And be it enacted*, That this act shall take effect immediately.

Approved May 11, 1886.

CHAPTER CCXLIX.

A Supplement to an act entitled "An act to establish a system of public instruction" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

WHEREAS, in townships of small territorial area, it is possible, by uniting the several school districts under one management, to advance the grade of the schools, establish a central school building for the common benefit of the whole township and secure other educational advantages, which will still be within convenient access to all;

Preamble.

State board of education on application may consolidate school districts.

Application to be in writing, &c.

Property of school districts consolidated vested.

Obligations and debts to be assumed by district.

When board to consist of six trustees, and how elected.

Board to meet and divide into classes, &c.

When board to consist of two trustees and how elected, and term of office.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the state board of education, on application made to them in the manner herein provided, to consolidate into one school district all the then existing school districts in any township in this state whose territorial area does not exceed four square miles; but such application shall be in writing and shall be signed by a majority of the trustees of each of the school districts in said township.

2. *And be it enacted*, That whenever the state board of education, on application made to them for that purpose, shall consolidate into one district all the previously existing school districts of any township, thereupon and thereafter the property, real and personal, of the said several school districts embraced within such consolidation shall become and be the property of the district formed by the consolidation of the said several districts in its corporate capacity, and shall be held in its corporate name, and the several obligations and debts of said districts, whether secured by bond or otherwise, shall be assumed by, and shall become the obligations and debts of the district formed by the consolidation.

3. *And be it enacted*, That in any township consisting of a single school district by reason of such consolidation, but not divided into wards, there shall be a school board consisting of six trustees, all of whom shall be elected at the annual school meeting next succeeding such consolidation; at the first meeting of said trustees they shall proceed by lot to divide themselves into three classes of two members each, who shall hold office for one, two and three years respectively; and annually thereafter two trustees shall be chosen at each annual school meeting who shall hold office for the term of three years.

4. *And be it enacted*, That in any township consisting of a single school district by reason of such consolidation, and which is divided into wards, the school board shall consist of two trustees from each ward, all of whom shall be chosen at the annual school meeting next succeeding such consolidation, and at such election one person shall be chosen from each ward to serve for a term of one year, and one person to serve for a term of two years.

and annually thereafter one person shall be chosen from each ward to serve for a term of two years as members of the board of school trustees.

5. *And be it enacted*, That it shall be lawful for the county superintendent to appoint the members of the board of trustees in any township consolidated into one district under the provisions of this act, immediately after such consolidation shall go into effect, having regard to the appointment of members of the boards of trustees in the several districts embraced in the consolidation, as far as practicable, but the persons so appointed shall hold office only until the election of trustees at the succeeding annual election, as herein provided.

County superintendent authorized to appoint trustees of consolidated district until election, &c.

6. *And be it enacted*, That each board of trustees created under the provisions of this act, shall organize by the election of one of its members as president and the election of a district clerk, and shall have power to fix the compensation of said clerk; said board of trustees shall be in all things subject to the provisions of the act to which this is a supplement, and to the supplements thereto and amendments thereof, and none of the rights, powers or franchises of a school district shall be abrogated or abridged by reason of its being formed or constituted by the method of consolidation herein provided.

Organization of board of trustees.

Board subject to provisions of act.

7. *And be it enacted*, That it shall be lawful for the legal voters of any consolidated district at the annual school meeting or at a special meeting called in accordance with the provisions of the eleventh division of the thirty-ninth section of the act to which this act is a supplement, to vote, grant and raise such sum or sums of money as the majority present may determine, for the purpose of buying land, building or enlarging school houses, or for any purpose for which money may be lawfully granted and raised in any school district under the provisions of the act to which this is a supplement.

Legal voters of consolidated district authorized to raise money for purchase of lands, buildings, &c.

8. *And be it enacted*, That all acts and parts of acts inconsistent herewith be and the same are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved May 11, 1886.

CHAPTER CCL.

An Act to regulate the manufacture and storage of gun powder, dynamite and other explosives.

No person to erect, maintain, &c., any building for the manufacture or storage of gun powder, dynamite, &c., within a certain distance from public roads.

Penalty.

Proviso.

Proviso.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That no person or persons or corporation shall after the passage of this act, be permitted within this state to erect, have or maintain, or cause to be erected, had or maintained any establishment, storehouse or building in which shall be manufactured, stored, or kept any gun powder, blasting powder, dualin, dynamite, forcite, giant powder, nitro-glycerine or any powder or materials of which nitro-glycerine is an essential ingredient or forms a component part, or any other explosive within the distance of one thousand feet from any public road; and every person or corporation offending against the provisions of this act shall be guilty of a misdemeanor, and, on conviction thereof, shall be liable to a fine not exceeding two thousand dollars; *provided, however*, that nothing in this act shall be so construed as to prevent any person or persons from storing in fire-proof magazines any quantity of gun powder or blasting powder not exceeding in quantity two thousand pounds, within the said distance of one thousand feet of a public road; *and provided, further*, that the prohibition in this act contained shall not apply to any establishment, storehouse or building heretofore erected and used for the manufacturing, storing or keeping of any of said explosive substances.

Approved May 11, 1886.

CHAPTER CCLI.

A Further Supplement to an act entitled "An act concerning roads," approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for the legal voters of any township in this state, by a majority of all the votes cast at the annual town meeting, by ballot, to vote for and appropriate such sum of money as they may determine, for the purpose of crushing or providing crushed stone, gravel or cinders and placing the same upon the public roads of the township.

2. *And be it enacted*, That the money so appropriated shall be assessed and collected at the same time and in the same manner that taxes for other township purposes are or may be assessed and collected, and the said money shall be used and expended and the said stone, gravel or cinders placed upon the roads of the township under the exclusive direction and control of the township committee.

3. *And be it enacted*, That all acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and this act shall take effect immediately.

Approved May 11, 1886.

CHAPTER CCLII.

A Further Supplement to an act entitled "An act respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogate," approved March twenty-seventh, one thousand eight hundred and seventy-four.

Section
amended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section twenty-six of the act to which this a supplement, as the same was amended by a supplement to said act, approved March seventeenth, anno domini one thousand eight hundred and eighty-two, be and the same hereby is further amended so as to read as follows:

Surrogate
authorized to
file and record
exemplified
copies of wills
from other
states.

[26. *And be it enacted*, That when any will shall have been admitted to probate in any state or territory of the United States or the District of Columbia, or in any foreign state or kingdom, and any person shall desire to have the same recorded in this state, for the purpose of making title to lands or real estate in this state, it shall be lawful for any surrogate of any county in this state, upon an exemplified copy of such will and of the certificate of probate thereof, and of the letters testamentary or of administration with the will annexed issued thereon, being filed in his office, exemplified and attested as a true copy in the manner required by the laws of the state, district or territory in which such will shall have been admitted to probate, to make it legal evidence in such state, district or territory, to record such will, certificate and letters and file the said copy in his office, and any such will, certificate and letters, upon being so recorded, shall have the same force and effect in respect to all lands and real estate whereof the testator died seized, as if said will had been admitted to probate and letters testamentary or of administration with the will annexed

thereon had been issued in this state; and all conveyances of such real estate, heretofore or hereafter made by any executor or executors, or administrator or administrators with the will annexed, or the survivor or survivors of them, or by any devisee or devisees, shall be as valid as if said will had been admitted to probate and letters testamentary or of administration with the will annexed had been issued in this state; and such record or certified copies of said will, certificate and letters shall be received in evidence in all courts of this state.

Conveyances of
real estate
declared valid.

2. *And be it enacted*, That this act shall take effect immediately.

Approved May 11, 1886.

CHAPTER CCLIII.

An Act concerning cities.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the term of office of any mayor hereafter elected in any city of this state shall be two years, notwithstanding any clause in the charter of any city limiting the term for a period less than two years.

Term of office
of mayor.

2. *And be it enacted*, That no mayor hereafter elected in any city in this state shall preside over the council, board of aldermen, or other municipal legislative body of such city, and every ordinance of the aldermen or common council and every resolution of the aldermen affecting the interests of the city shall, before it takes effect, be presented, duly certified, to the mayor, and the report of the clerk shall be conclusive evidence that the said ordinance or resolution has been so presented to the mayor; if he approve it, he shall sign it, if not, he shall return it with his objections and file the same with the clerk within ten days after he received it, and the aldermen or common council shall, at their first regular meeting thereafter,

Powers and
duties of
mayor.

order the objections to be entered at large on the journal, after which they shall proceed to reconsider the same, and if two-thirds of all the aldermen or common council elected shall then pass the same, it shall take effect as a law, but in every such case the votes shall be taken by ayes and nays and entered on the journal; and if such ordinance or resolution shall not be so returned by the mayor within ten days after he shall have received it, it shall become a law in like manner as if he had signed it; *provided, always*, that each and every ordinance so passed as aforesaid, shall be published for the space of ten days in the official newspapers before such ordinance shall go into effect; and no ordinance or by-laws shall be passed by the said aldermen or common council unless the same shall have been introduced before the aldermen or common council at a previous stated meeting and upon its passage agreed to by a majority of the aldermen or common council elected; and the presiding officer of such board or council shall be annually selected from and by the members of such board by the votes of a majority of the members thereof.

Proviso.

Term of office of members of council or other governing body.

Proviso.

3. *And be it enacted*, That the term of office of the members of the city council or other governing municipal body hereafter elected in any city of this state shall be three years, notwithstanding any provision to the contrary in the charter of any such city; *provided, however*, that the members of any such council or board elected at the first election held under the provisions of this act shall draw lots, and if elected by wards, such drawing shall be by the representatives from the several wards separately, and one-third of the members so elected at such first election shall hold office for one year, one-third for two years and one third for three years; if the number of such council or board cannot be divided into three equal parts, then the excess shall hold office for the long term; after such first election, the vacancies occasioned by expiration of term shall be filled by election for three years.

Time for holding municipal elections.

4. *And be it enacted*, That the time for holding the municipal elections for mayor, members of council or other like boards, and other elective city officers, shall be on the second Tuesday of March, notwithstanding any

clause in the charter of any city providing otherwise; and the term of all city officers shall commence on the third Tuesday of March, and the term of all city officers that would otherwise continue for a longer period, shall expire upon the third Tuesday of March, being one week after such election; *provided*, that the officers elected at any election at which this act is adopted shall hold office for at least eight months and until their successors are elected at a municipal election.

5. *And be it enacted*, That the council or other governing municipal legislative body in such city shall have power to increase the salary of the mayor to a sum not exceeding one thousand dollars (\$1,000) per annum; and such council or legislative body shall also have the power to establish a board of education, to consist of seven members, to be appointed by the said council or legislative body, for such terms as may be fixed by said council or legislative body; and such board of education, when established, shall have all the powers now vested in school trustees or any board having charge of education in said city, and shall have power to choose a city superintendent, define his duties and fix his compensation, not to exceed one thousand dollars per annum, and his term of office shall not exceed three years; *provided*, that the terms of the members of the board of education first appointed shall be so fixed that the terms of at least two expire within two months after the next municipal election.

6. *And be it enacted*, That the board of aldermen or common council of any city may, by resolution, submit the question of the acceptance or rejection of this act to the voters of said city at the first charter election held after the approval of this act, and if a majority of those who shall vote for the acceptance or rejection of the act shall vote for its acceptance, then this act shall go into effect immediately and shall be deemed to be accepted by such city, and such city shall be bound by the terms of this act; persons entitled to vote at such election shall express their acceptance or rejection of this act by depositing their ballots in the box provided for depositing ballots at such election, in the election precincts or wards of such city, and those who are in favor of the acceptance

When term of city officers to commence and expire.

Proviso.

Salary of mayor may be increased.

May establish a board of education.

Powers, &c., of board of education when established.

Proviso.

Common council may submit act to acceptance or rejection of voters.

Proceedings in case of election.

of this act shall each deposit a ballot containing the words "Act accepted," written or printed thereon, and those who are opposed shall each deposit a ballot with the words "Act rejected," written or printed thereon; and this acceptance or rejection may be written or printed upon the ballot on which are the names, the state, county, city, district or ward officers, and no separate ballot shall be required for the purpose of this vote; there shall be a canvass, on the return of the votes upon this question of such acceptance or rejection, made by the election officers in the same way and manner as for officers voted for at any general or charter election; and if a majority of the ballots on which there shall be either the words "act accepted" or "act rejected" shall be found to be for the acceptance of this act, it shall then go into effect and be binding upon such city wherein such vote shall have been taken, but this act shall not go into effect in any city until so accepted.

Act not to go
into effect until
accepted.

Repealer.

Proviso.

7. *And be it enacted*, That all acts and parts of acts, general and special, inconsistent with this act, be and the same are hereby repealed, and this act shall take effect immediately; *provided*, that this act shall not affect or be applicable to any municipality incorporated as a town.
Approved May 11, 1886.

CHAPTER CCLIV.

A Supplement to the act entitled "An act for the organization of the national guard of the state of New Jersey," approved March ninth, one thousand eight hundred and sixty-nine.

Pay of officers
and enlisted
men.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That when any portion of the national guard is ordered by the major-general of division, with the approval of the commander-in-chief, to attend an encampment, there shall be paid to such officers and

enlisted men as shall be present for duty under said order, in addition to the present allowance of rations, the following sums each, for each day actually on duty :

To all enlisted musicians and privates, one dollar and fifty cents ;

To all corporals, one dollar and fifty cents ;

To all company sergeants below first sergeant, one dollar and seventy-five cents ;

To all first sergeants and 'non-commissioned staff' officers, two dollars ;

To all commissioned officers below the rank of captain, except when said officers are in command of companies, two dollars and fifty cents ;

To all captains, adjutants and officers commanding companies, three dollars ;

To all field officers below the rank of colonel, except when in command of a regiment or battalion, four dollars ;

To all commanding officers of regiments or battalions, five dollars ;

To all brigadier-generals, six dollars ;

To all staff officers, except adjutant, the same pay and allowances as are allowed to officers of equal grade in line ;

All mounted officers and all members of any troop or battery, mounted and equipped, shall be paid two dollars per day for each horse actually used by them ; *provided*, Proviso. that the amount expended in any one year under this supplement shall not exceed the sum of twenty-five thousand dollars.

2. *And be it enacted*, That the commanding officer of an encampment so ordered shall have power to convene general courts-martial for the trial of enlisted men for absence without leave, insubordination, neglect of duty, intoxication, disorderly conduct and such other misdemeanors as are amenable to punishment under this act or the regulations of the United States army ; they shall have power to impose fines, which shall be deducted from the pay provided by this act, or such other penalty as they may deem proper. Commanding officer empowered to convene general courts-martial.

3. *And be it enacted*, That this act shall take effect immediately.

Approved May 11, 1886.

CHAPTER CCLV.

A Supplement to an act entitled "An act for the organization of the national guard of the state of New Jersey," approved March ninth, one thousand eight hundred and sixty-nine.

Who authorized to appoint standard bearer and bugler.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the division and brigade commanders may appoint upon their respective staffs one standard bearer and one bugler, who shall rank as sergeants; commanders of regiments and battalions may appoint on the staff of their respective regiments and battalions one bugler with the rank of sergeant.

Section amended.

2. *And be it enacted*, That section seventeen of the supplement to the act to which this is a supplement, which supplement was approved March tenth, one thousand eight hundred and eighty, be and the same is hereby amended so as to read as follows:

Regulation uniform, to whom furnished.

[17. *And be it enacted*, That the regulation uniform adopted by this state shall be furnished to new companies of the national guard which hereafter may be organized; to the non-commissioned staff officers of all regimental or battalion organizations; to all new recruits for companies; *provided*, no more uniforms shall be furnished to any company during a period of five years' service than the actual strength of the company at the time the uniforms are to be furnished; and to all existing companies, after every five years of service, the quartermaster-general is hereby directed to purchase, under the approval of the commander-in-chief, and to furnish the same at the contract price, upon the requisition of the regimental or battalion commander, properly approved; the cost of the uniforms shall be paid by the treasurer, upon the warrant of the comptroller; and it shall be the duty of the quartermaster-general to notify the comptroller of the treasury, on or before the first Monday in April of each year,

Proviso.

of the sum charged against each company, battalion and regiment for uniforms so furnished, issued to them by the quartermaster-general, and that one-fourth of the amount so reported shall be by the comptroller of the treasury deducted from each of the two next succeeding annual appropriations for such company, battalion or regiment.]

3. *And be it enacted*, That whenever the state military board shall decide by a vote of a majority of all its members that any company of the national guard has ceased to be useful or is detrimental to the service, the division commander may disband the same and place its commissioned officers upon the retired list.

When division commander may disband company, &c.

4. *And be it enacted*, That section thirty-four of the act to which this a supplement be and the same is hereby repealed.

Section repealed.

5. *And be it enacted*, That whenever any regiment or battalion shall have been disbanded by order of the commander-in-chief, so that there remains no board of officers of such regiment or battalion, the paymaster or acting paymaster thereof shall turn over to the paymaster of the brigade to which such disbanded regiment or battalion was attached, all moneys remaining in his hands; and the said brigade paymaster shall collect and receive all moneys which were due and payable to such regiment or battalion, or the paymaster or acting paymaster thereof, previous to such disbandment, or which would have become due on account of existing detached companies of such regiment or battalion if such regiment or battalion had not been disbanded; out of which moneys such brigade paymaster shall pay, subject to the approval of the brigade commander, the just debts of such disbanded regiment or battalion as may be presented for payment within three months of such disbandment and the necessary expenses of the companies of such regiment or battalion while remaining detached; and whenever any of the said companies shall be assigned to any regiment or battalion, he shall pay to the paymaster or acting paymaster of such regiment or battalion a pro rata amount of the moneys remaining in his hands at the time of such assignment, to be expended by said paymaster or acting paymaster as provided by law for moneys received from the state treasury on account of companies.

Paymaster of regiment or battalion disbanded to pay over moneys to brigade paymaster.

Brigade paymaster to collect and receive all moneys, &c.

To pay all debts, &c.

Payments to
gating gun
companies,
to whom paid,
&c.

6. *And be it enacted*, That payments now provided by law on account of gating gun companies shall be made to the paymaster of the brigade to which such company is attached, and shall be expended by him upon requisition of the commander of such company, duly approved by the brigade commander.

7. *And be it enacted*, That this act shall take effect immediately.

Approved May 25, 1886.

CHAPTER CCLVI.

An Act relative to the publication of the laws in the newspapers of this state.

Laws to be
published in
one newspaper
devoted to the
labor interests.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That the laws authorized to be published in the newspapers shall hereafter be published in one newspaper in this state especially devoted to the labor interests, in addition to the number now authorized to be designated to publish the said laws, to be selected by the governor and comptroller.

2. *And be it enacted*, That this act shall take effect immediately.

Approved May 28, 1886.

CHAPTER CCLVII.

An Act to authorize the boards of chosen freeholders in the respective counties in this state to lay out, open and improve a public road in each of the counties of this state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for any of the boards of chosen freeholders in the respective counties in this state, except such counties as have a county road board, at any time hereafter, when it shall be deemed advisable and for the best interests of such county to lay out, open, construct, improve and maintain a public road extending through such county in any direction from one boundary line to the other of such county, to order and hold an election at the time and places of holding the general election in and for said county for members of the general assembly of this state, which election shall be conducted by the same officers as shall have been chosen to conduct such general election for members of the general assembly, and if a majority of the persons entitled to vote at such general election for members of assembly shall by a separate ballot elect that such road shall be built, then such board of chosen freeholders shall be invested with all the rights and powers necessary and expedient to lay out, open, construct, pave, flag, macadamize or otherwise improve and maintain such public road and make surveys for the same; but if a majority of such persons shall by such separate ballot elect that such road shall not be built, then nothing in this act contained shall apply to or be effective in such county.

Board of freeholders may order election when deemed advisable to lay out and construct public road.

Election, how conducted, &c.

Freeholders authorized to lay out, construct, &c., public road, &c.

2. *And be it enacted*, That due notice shall be given by such board of chosen freeholders of the time and place of holding the election hereinabove provided for by public advertisement in at least two newspapers circulating in the county in which the same is ordered, for at least

Notice of election to be given

one month preceding the same; and that for the purpose of receiving such ballots a separate ballot-box shall be provided by such board of chosen freeholders at each polling place in such county, and that any person desiring to vote in favor of the building of such road under this act shall cast into such separate ballot-box a ballot with the words "In favor of public road" written or printed thereon, and any person desiring the contrary shall cast a ballot into said separate ballot-box with the words "Against public road" written or printed thereon; and if a majority of the persons voting at such election in the manner hereinabove prescribed shall so elect, then the said board of chosen freeholders in any county of this state shall have power to open such road by taking all the lands, buildings and improvements within the lines of such road, making compensation for any which have not been heretofore dedicated, opened or taken to or for public use; *provided*, that no person in possession of any dwelling-house, store or shop shall be disturbed, nor any dwelling-house, store, shop, church, engine or school-house or other structure be taken down, removed or destroyed before the expiration of one month after compensation therefor shall be determined and paid or tendered as hereafter provided; *and provided, also*, that nothing in this act contained shall be so construed as to authorize the removal or destruction of any of the public buildings belonging to such county; *and provided*, that the width of said road shall not exceed one hundred feet.

3. *And be it enacted*, That said board of chosen freeholders, after its determination to lay out any such road shall, as soon as it conveniently can, proceed to lay out such road in the following manner: they shall, in the first place, make or cause to be made a survey of such road, with a map thereof, showing the termini and route of such road, including the courses and distances and the various improvements through which the same will pass, and also the names of the several owners of lands proposed to be taken therefor, so far as the same can be conveniently ascertained, and showing the width of such road, which shall not exceed one hundred feet in width; and after the completion of such survey and map it shall be filed in the office of the clerk of said board

What ballots to contain.

Majority of persons voting in favor, board of freeholders empowered to open road.

Proviso.

Proviso.

Proviso.

Map and survey of road to be made and filed.

Width of road and owners of land to be stated, &c.

for public inspection; *provided*, that in making the surveys Proviso. and maps of the same they may use all the surveys and maps that now are or may hereafter be recorded or filed in any public office in any city, town or township in such county, to which they shall at all reasonable times have full access, provided that the same shall not be removed from such office; *and provided, also*, that the said board Proviso. may include in any such road, as a part thereof, and in the survey and map thereof, to be shown thereon, any road, street, highway or avenue, or part thereof, already laid out, opened or dedicated in such county, or in any city, town or township thereof to public use, and said board shall have the exclusive control of such road and regulate the use thereof through the entire length thereof.

4. *And be it enacted*, That so soon as conveniently can be done after such map as is provided for in the third section of this act is filed with the clerk of said board, and before any further action is had by said board in the matter, the said board shall give public notice in one or more of the newspapers published and circulating in the said county of the filing of such map for public inspection, which said notice shall be published at least two weeks, and which said notice shall state the time and place when Notice of filing of maps to be published. and where said board shall meet to take into consideration the question whether said proposed road shall be laid out and opened or not, which said meeting shall not take place for at least four weeks from the time of filing of said map with said board, and which said meeting shall be open and public for the purpose of hearing and considering any objection in writing to the opening of said road, or to the course or location thereof, which may be presented to said board at such time and place. Notice to state time and place of meeting of board, &c.

5. *And be it enacted*, That said board, after the filing of said map and the hearing and considering any objections which may be presented, shall have power to alter, revise, Board may alter, revise or change maps and surveys, &c. correct or change said board surveys and maps as to course and location of said road, and adopt the course and location as laid down originally on said survey and map, or adopt the course and location as altered, revised corrected or changed, or abandon the whole project entirely; *provided*, that if the same be so abandoned such Proviso.

abandonment shall in no case be construed as an exhaustion of the powers of said board under this act, but said board may at any time commence anew under the provisions of this act, and that the powers of said board under this act shall be treated as continuous until such road shall be laid out, opened and improved as aforesaid, or this act repealed.

Board
authorized to
revise and
correct map,
&c., and to
declare to lay
out road.

Agents, &c.,
authorized to
enter on lands,
&c.

How lands and
real estate may
be taken.

Board to make
application
for appoint-
ment of com-
missioners.

Notice of time
and place of
appointment
of commis-
sioners to be
advertised.

6. *And be it enacted*, That after said board shall have heard and considered any objections which shall as aforesaid have been presented to them, they may, if they deem it to the best interests of the county, revise, alter and correct said map and location and course of said road, and order all such alterations in the course and location of said road, and, if it is deemed, in their judgment, to be desirable, declare by resolution of such board, that said road shall be laid out, opened and improved, in accordance with the provisions of this act; and such board, their agents, engineers, surveyors and others in their employ, shall have full power, at all times, to enter upon any lands for any of the purposes contemplated by this act; that any land and real estate deemed necessary by the said board for the laying out, opening, construction, improving and maintaining such road, or any part thereof, may be taken therefor, and the value and damage assessed be allowed for the same, in the manner herein provided—that is to say: the said board of chosen freeholders, after declaring by resolution that the said road shall be laid out and opened, and the adoption of the location and course thereof, shall immediately, by a petition in writing, signed by the director and clerk of said board, make application to the justice of the supreme court holding the county circuit court for said county, for the appointment of three commissioners, who shall be freeholders and residents in such county, and upon such application, when so presented, said justice shall make an order fixing a time and place when said commissioners will be appointed, which shall be not less than fifteen days from the making of such application, notice of which order shall be published in at least three newspapers published and circulated in said county, or in such other manner as said justice may direct, for a time not less than two weeks, of the particular time and place

for the appointment of said commissioners, at which time and place, upon satisfactory evidence to him of the publication of such notice as aforesaid, he shall appoint in writing, under his hand, three disinterested, impartial and judicious freeholders, residents in such county, commissioners to examine and appraise the value of the land and real estate to be taken for the laying out and opening of said road, and the damage to be done to the owner or owners thereof by taking the same, upon such notice to be given to the persons interested, as shall be directed by the justice making said appointment, either personally, by publication or otherwise; and it shall be the duty of the said commissioners (having first taken and subscribed an oath or affirmation before the said justice, faithfully and impartially to discharge the duties of their appointment, which oaths or affirmations shall be filed with the clerk of said board of chosen freeholders,) to meet at the time and place appointed, and proceed to view and examine the said lands and real estate to be taken for the laying out and opening of said road, hear the statements of parties interested, and from time to time adjourn the said examination and hearing, if in their judgment such action shall be necessary, and to make a just and equitable estimate or appraisement of the value of the lands and real estate, and the value of the interest of each owner of the land and real estate to be taken, and the damage to be done to each owner by taking the same, considering in such appraisal the condition in which each owner's parcel will be left after taking so much thereof as will be necessary for said opening; and when the estates in any of said lands and real estate are not known they shall appraise the value and damages to be done to the fee-simple (which amounts shall be paid by the board of chosen freeholders as hereinafter directed), and separate appraisements made for each separate tract; and said commissioners shall, within three months from the date of their appointment, make their report in writing, under their hands and seals, or any two of them, and shall file the same within ten days thereafter in the clerk's office of such county, and remain of record therein, together with their appointment and proof of notice aforesaid, as directed by the justice aforesaid, a copy of which, certi-

Justice of
supreme court
to appoint
commis-
sioners.

Duty of com-
missioners, &c.

When commis-
sioners to
make report.

Board authorized to enter upon and take possession of lands, &c.

fied by the clerk of the county, under his seal of office, shall be filed with the clerk of the board of chosen freeholders, and by him presented to the board at its next meeting, and filed of record in his office; and thereupon, and on payment or tender of payment of the amount awarded, as hereinafter provided, the said board of chosen freeholders is hereby empowered to enter upon and take possession of the lands and real estate for the use of the inhabitants of such county; and the said report, or a copy thereof, certified by the clerk of such county, and proof of payment or tender of the amount awarded, shall at all times be construed as plenary evidence of the right of such board of chosen freeholders to have, hold, use, occupy, possess and enjoy the said lands and real estate for the uses of said county; and the said justices of the supreme court shall, upon application of either party, and upon reasonable notice to the other, tax and allow such costs, fees and expenses to the commissioners or others performing any of the duties prescribed in this section of the act, as he shall think equitable and right, which shall be paid by the county collector upon certificate of such justice; *provided*, that should any such board of chosen freeholders of any county, acting under the provisions of this act, or the owner or owners of any lands, feel aggrieved by the decision of the commissioners aforesaid, he, she or they may appeal to the circuit court of such county at any time within sixty days after filing of the said report by the said commissioners.

Fees, costs and expenses, by whom taxed and paid.

Proviso.

Proceedings in case of appeal from decision of commissioners.

7. *And be it enacted*, That every appeal from the decision of the commissioners appointed under the preceding section shall be made in writing, and in the form of a petition to said court and filed with the clerk of said circuit court of such county; and notice in writing of such appeal shall be given to the opposite party within ten days after the filing thereof, which proceedings shall vest in the circuit court full right and power to hear and adjudge the same and to direct a proper issue for the trial of said controversy to be formed between the said parties and to order a jury to be struck and a view of the premises to be had and the said issue to be tried at such time as said court shall order upon the like notice and in the same manner as other issues in the said court are

tried; and it shall be the duty of the said jury to assess the value of the said land and damages sustained, and if they shall find a greater sum than the said commissioners shall have awarded in favor of the said owner or owners, then judgment thereon with costs shall be entered against the said board of chosen freeholders and execution awarded therefor; but if the said jury shall be applied for by the owner or owners and shall find a less sum than the said commissioners shall have awarded, then said costs shall be paid by said applicant or applicants and either deducted out of said sum found by the said jury or execution awarded therefor, as the said court shall direct; but such application shall not prevent the said board of chosen freeholders from taking the said land upon filing of the aforesaid report as aforesaid; *provided*, that in no case Proviso. whatever shall said board of chosen freeholders enter upon or take possession of any land of any person or persons until they have paid or tendered to the party or parties entitled to receive the same the amount assessed by the commissioners as the value of such lands and damages; but in no case shall the proceedings of appeal stay the entry upon and possession by such boards of the lands and real estate so as aforesaid taken and appraised for the laying out and opening of said road; *and provided*, Proviso. also, that if any party entitled to the payment of the amounts so as aforesaid assessed shall refuse to receive the same, be out of the state or under any legal disability, then the amount assessed or found as aforesaid shall be paid to and kept on deposit by the county collector of such county, for the use of the party or parties entitled to receive the same; *and, further*, that the party or parties entitled to receive the amount assessed by the commissioners, may upon tender being made, receive the same without being barred thereby from his or her appeal from the report of the commissioners; *and provided, further*, Proviso. that in case any money paid to or deposited as aforesaid with the county collector shall belong to any infant, insane person or idiot, said money shall be paid over by said county collector to any guardian appointed to take charge of such infant's, insane person's or idiot's estate, when it shall appear to the said circuit court that such guardian has filed a good and sufficient bond to cover

said amount with the court or surrogate appointing such guardian, or the money may by said court be ordered to be invested by the county collector for the benefit of such infant, insane person or idiot.

Mortgages,
leases, &c.,
upon lands
taken, how
paid.

8. *And be it enacted*, That if any person shall have a mortgage, lease, life estate or any other estate less than fee, in any lands taken, said estate shall be appraised by the commissioners, or in case of appeal, by the jury, and deducted and paid out of the amount assessed or awarded for the whole fee.

Freeholders
authorized to
issue bonds to
pay awards or
assessments of
damages, &c.

9. *And be it enacted*, That in order to raise money to pay the award of the commissioners or assessments of damages by a jury in case of an appeal, for the lands and real estate taken by this act, it shall be lawful for any such boards of chosen freeholders to cause, by resolution, the bonds of such county, in the name of such board of chosen freeholders, to be issued for the same, in such sums as such board may deem proper, and that money realized from such bonds shall be paid to the county collector, to be by him applied to the payment of said awards and damages as directed by resolution of such board; that the bonds authorized to be issued by this section of this act may be either coupon or registered bonds, as the board of chosen freeholders may determine, and the same shall be made payable, both principal and interest, at the office of the county collector of such county, and said bonds shall be sold by the board of chosen freeholders of such county, upon the orders and resolutions thereof, either upon bids for the same, duly advertised for, or otherwise; *provided*, that said bonds shall in no case be sold at less than par; the director of such board and the county collector of such county shall sign said bonds, and the same shall be sealed with the seal of the county, and the county collector shall number and register the same, and registered bonds shall be exchanged for coupon bonds and coupon bonds exchanged for registered bonds at the request of the holder thereof; *provided*, that the board of chosen freeholders, by resolution, shall consent to such change; and said bonds shall bear such interest as such board shall determine, not exceeding five per centum per annum, and said interest shall be paid semi-annually, and the said bonds shall have

Proviso.

Proviso.

such time to run as said board of chosen freeholders may, at the time of the issue thereof, by resolution determine, not exceeding thirty years.

10. *And be it enacted*, That such board of chosen freeholders shall, each year, place in the tax levy for such county for such year, so long as such bonds shall run, a sufficient sum to pay all interest on such bonds during such year, and also a sufficient sum to amount to two per centum of the whole principal of said bonds, which said sum of two per centum of said bonds shall be deposited in a sinking fund of said county for the purpose of paying said bonds as they may become due, said sinking fund to be managed by said boards of chosen freeholders as shall best subserve said object of its creation, and also a sufficient sum to pay the principal of any of said bonds falling due in any year, the said sums to be levied and raised in the same manner as other county taxes are levied and raised.

Board of freeholders to place in tax levy amount to pay interest and to establish a sinking fund, &c.

11. *And be it enacted*, That said board shall have full power to lay out, open, construct, improve and maintain such public road as provided in the preceding section of this act; that such board shall establish and determine the width of the carriage-way and sidewalks of said road; *provided*, that both carriage-way and sidewalk shall not exceed one hundred feet in width, and shall construct said road by grading the same in such way and manner and according to such grade as the said board shall fix and determine, by excavating and removing earth, rocks, trees, stumps, buildings, improvements and all obstructions, by disposing of such portion thereof as are not needed in the constructing and improving said road to the best advantage, and by filling any low parts of the route and otherwise preparing the premises for such road by building all the bridges on such road, and by building all sewers, culverts and receiving basins, and providing all necessary sewerage and outlets for the same, or by making connection with or using any public sewers or outlets that may exist that they may deem necessary, within or without the lines of such road; *provided*, that such road shall be constructed upon the grades established by any municipal authorities (if any have been established) as near as conveniently may be, so as to ensure an easy

Full power to construct road, and determine width of carriage-way and sidewalks.

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and even grade throughout the entire road, and in case any grade shall be changed compensation shall be made to the person injured (if any there shall be injured by such alteration of grade); said board shall have power at any time to improve said road, or any part thereof, by paving, macadamizing or otherwise improving the road-bed thereof, and by flagging or otherwise improving the sidewalk, or any part thereof, by curbing and guttering said road, or any part thereof, by providing lamps for and lighting such road, or any part thereof, and may use in making any such improvement any labor or materials, which said board is authorized to use, and any materials now or at such time in use, for any of said purposes, within the lines of such road that may be found there, or that may have been placed there by or under any municipal authority whatsoever.

All work and materials to be furnished by contract.

Board to advertise for proposals and award contract, &c.

Proviso.

12. *And be it enacted*, That all work and materials, of or exceeding one thousand dollars, done or furnished in and about the opening, laying out, constructing and improving such road shall be done or furnished by contract after advertisement in the following manner: the said board shall advertise for proposals for doing any work or furnishing materials amounting in the whole to one thousand dollars or more, for at least two weeks, once in each week, in such of the newspapers of such county as they may deem expedient, and shall thereafter at some stated or special meeting award the contract or contracts to the lowest responsible bidder, who shall furnish such good and sufficient sureties as may be approved by said board; all bids must be opened at a regular or special public meeting of said board and not otherwise; but said board shall be under no obligation to accept the lowest bidder if they deem it to be against the public interest so to do, and may reject all bids if they deem it to be for the interest of the public so to do; and in case of such rejection the said board shall again advertise for proposals and proceed in all things as if no proposals had before been offered; *provided*, that the board may, in laying out, opening, constructing and improving said road, use any labor or materials which said board is authorized now by law to use, and any materials now or at any such time in use for any of said purposes within the lines of such road

that may be found there, or that may have been placed there by or under any municipal authority whatsoever.

13. *And be it enacted*, That except to cross such road, No railroad to be allowed on road. no horse, dummy or other railroad shall be allowed on such road or any part thereof.

14. *And be it enacted*, That costs, charges and expenses Costs, charges and expenses in laying out road and moneys required, how to be raised, &c. of laying out, opening, constructing and improving such road in accordance with the provisions of this act, and all moneys required or necessary for any of the purposes aforesaid shall be raised in the manner hereinafter provided and shall be paid by the public of such county at large and shall be raised by tax at the times and in the manner hereinafter provided.

15. *And be it enacted*, That said board shall have the Board authorized to issue certificates of indebtedness for work done, materials, expenses, &c. power to issue certificates of indebtedness in payment for work done or materials furnished, or any expense incurred in the execution of this act (except to pay awards for lands taken and damages thereto, which are hereinbefore provided for), and to issue them at such times, and for such amounts, payable at such periods and executed and transferable in such manner as they may deem best; said Certificates to bear interest, and when payable. certificates of indebtedness shall be paid out of the proceeds of the sale of bonds as hereinafter authorized to be issued and sold, and shall bear interest at the rate of four per centum per annum, and shall be made payable within one year from the date thereof, as the said board shall therein designate.

16. *And be it enacted*, That the entire costs of laying Entire cost of constructing road not to exceed a certain amount. out, opening, constructing and improving said public road in any county of this state, shall not exceed (including awards for lands taken and damages thereto) the sum of one million dollars.

17. *And be it enacted*, That it shall be the duty of such Road to be kept in repair for public use. board to maintain such road or any part thereof, and to keep the same in repair and fit for public use from year to year, at the expense of the public at large of such county, and that the appropriation for such purposes, when necessary, shall be made and raised in the same manner as the appropriations for other county purposes are made and raised.

18. *And be it enacted*, That in order to raise money to pay the costs, charges and expenses of laying out, open-

Board of free-
holders
authorized to
issue bonds
from time to
time for money
required, &c.

Moneys
received from
bonds sold,
how applied.

Bonds may be
sold either
upon bids or
otherwise.

Proviso.

Proviso.

Proviso.

ing, constructing and improving such road in accordance with the provisions of this act, and all moneys required or necessary for any of the purposes aforesaid, it shall be lawful for such board of chosen freeholders from time to time, either before or while such work or improvement is in progress, by resolution, to cause the bonds of such county, in the name of such board of chosen freeholders, to be issued for the same in such sums as such board may deem proper; and that the moneys realized from such bonds shall be paid to the county collector, to be by him applied to the payment of costs, charges and expenses of laying out, opening, constructing and improving such road or the certificates of indebtedness issued thereon, as directed by resolutions of said board; that the bonds authorized to be issued by this section of this act may be either coupon or registered bonds, as such board of chosen freeholders may determine, and the same may be made payable, both principal and interest, at the office of the county collector of such county, and said bonds shall be sold by the board of chosen freeholders of such county, upon the orders and resolutions thereof, either upon bids for the same, duly advertised for, or otherwise; *provided*, that said bonds shall in no case be sold at less than par; the director of such board and the county collector of such county shall sign said bonds, and the same shall be sealed with the seal of the county, and the county collector shall number and register the same, and registered bonds may be exchanged for coupon bonds, and coupon bonds exchanged for registered bonds at the request of the holder thereof; *provided*, that such board of chosen freeholders, by resolution, shall consent to such exchange; and said bonds shall bear such interest as such board shall determine, not exceeding five per centum per annum, and said interest shall be paid semi-annually, and the said bonds shall have such time to run as said board of chosen freeholders may, at the time of the issue thereof, by resolutions determine, not exceeding thirty years, and the costs, charges and expenses aforesaid incurred in the laying out, opening, constructing and improving said road, as provided for by this act, shall be paid in no other manner; *and provided*, that the issue of

such bonds in all shall not exceed the sum of one million dollars.

19. *And be it enacted*, That such board of chosen freeholders shall, each year, place in the tax levy for such county for such year, so long as such bonds shall run, a sufficient sum to pay all interest on said bonds during such year, and also a sufficient sum to amount to two per centum of the whole principal of said bonds, which said sum of two per centum of said bonds shall be deposited in a sinking fund of said county for the purpose of paying said bonds as they may become due, said sinking fund to be managed by said boards of chosen freeholders as shall best subserve said object of its creation, and also a sum sufficient to pay the principal of said bonds falling due within the year, the same to be levied and raised in the same manner as other county taxes are levied and raised.

Board of Freeholders to place in tax levy annually sum to pay interest and per centum of principal of bonds.

20. *And be it enacted*, That the said board and the county collector shall keep the accounts and expenditures on account of said road separate and apart from the accounts of the other expenditures of such county, which account shall be called the "public road account," and the clerk of said board shall, on the first days of May and December in each year, file with the county clerk, there to be and remain as a public record, a detailed itemized account of the expenditures of such board in relation to such road, which said account shall have been submitted to said board, approved of by said board and ordered to be filed as aforesaid, and that the county collector shall also in like manner, at the times aforesaid, make and file his report of the moneys received by him on account of the issue and sale of bonds or otherwise, and the amounts paid out by him by order of such board, which said reports shall be included under separate and appropriate headings in the annual reports of the receipts and expenditures of said board as now made in accordance with law.

Separate account of expenditures to be kept by board and county collector.

When clerk of board to file accounts with county clerk.

County collector to make and file report.

21. *And be it enacted*, That such board shall, under the laws now in force and in accordance therewith, employ such officers, surveyors, engineers, agents, clerks or employees as shall be necessary and requisite to carry the provisions of this act into effect, but no member of said

Board authorized to appoint officers, engineers, &c.

board, nor any officer, surveyor, engineer, agent, clerk or employe (except a contractor or employe for work to be done or materials to be furnished for such road), shall at any time be interested in any proposal, bid or contract that shall be made by or offered to or made with said board, or in any work done for or materials to be supplied to said board.

No member of board, officer, &c., to be interested in bids, contracts, &c.

Board may establish rules, regulations, &c., and keep full record of meetings, proceedings, &c.

22. *And be it enacted*, That said board may establish such rules and regulations for the authentication of all their acts, contracts, and for all other purposes necessary or expedient for the efficient execution of this act, as to them shall seem necessary or convenient; they shall keep a full record of all their meetings and proceedings, and regular accounts of all moneys received and expended, and include the same under the separate headings of "public road account" in the annual report of the receipts and expenditures of said board, and that all meetings and proceedings of said board relating to their duties under the provisions of this act shall be public.

Minutes, maps, contracts, &c., to be public records, and open to inspection.

23. *And be it enacted*, That all the proceedings and acts of said board as the same shall appear upon the minutes of said board, and all maps, contracts, awards, assessments or other matters or papers on file in their office shall be matters of public record and parties shall be deemed to have due notice of the existence thereof, and the same shall be open to the inspection of the public during the business hours of every day (except Sunday and holidays); and copies thereof certified under the seal of the clerk of such shall be evidence in all courts and places the same as the original would be if produced.

Copies certified to be evidence.

Copies of maps, reports, records, &c., to be made, certified and filed with county clerk.

24. *And be it enacted*, That after the completion of the laying out, opening, constructing and improvement of said road such board shall forthwith make or cause to be made a copy of all map or maps, report or reports, record or records in their office relating to the course and location of said road and cause the same to be certified under the seal of such board and the hand of the clerk thereof and the director or other presiding officer and file the same in the office of the county clerk, there to be and remain of record.

Certain words used in act, how construed.

25. *And be it enacted*, That whenever in this act words importing the plural number are used in describing or

referring to any matter, parties or person, any single matter, party or person shall be deemed to be included although distributive words may not be used; and when any subject, matter, party or person is described or referred to by words importing the single number or the masculine gender, several matters and persons, and females as well as males, and bodies corporate as well as individuals, shall be deemed to be included; and these rules of construction shall apply in all cases unless it be otherwise specially provided herein, or unless there be something in the subject or context repugnant to such construction.

26. *And be it enacted*, That this act shall be deemed a public act and shall take effect immediately.

Approved May 28, 1886.

CHAPTER CCLVIII.

An Act for the relief of William I. Reed.

WHEREAS, On the sixteenth day of March, one thousand ^{Preamble.} eight hundred and eighty-three, William I. Reed entered into recognizance before James L. Terris, Esquire, one of the justices of the peace of the county of Middlesex, for the appearance of one George Soden at the April term of the court of oyer and terminer, anno domini one thousand eight hundred and eighty-three, to answer to any indictment that might be found against him, in the sum of two hundred dollars; *and whereas*, at said April term, anno domini one thousand eight hundred and eighty-three, the said recognizance of bail was forfeited, the said George Soden not appearing when called to answer the indictment found against him; *and whereas*, the said William I. Reed paid said sum of two hundred dollars without suit, July sixteenth, anno domini one thousand eight hundred and eighty-three, to the treasurer of the state of

New Jersey; *and whereas*, thereafter the said George Soden was arrested upon said indictment and tried upon the same, June twenty-fourth, anno domini one thousand eight hundred and eighty-five, and discharged by the Middlesex court of quarter sessions, to which said indictment had been sent; *and whereas*, the costs to which the state of New Jersey has been put to by reason of said forfeited recognizance does not equal the said sum of two hundred dollars, and the said William I. Reed being very poor, and an aged man, the said costs being as follows, ten dollars (\$10);

Treasurer
authorized to
pay certain
amount.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the treasurer of this state be and he is hereby authorized and required to pay to William I. Reed, of the village of Jamesburg, in the county of Middlesex, the balance of the said sum of two hundred dollars, to wit: one hundred and ninety dollars, after deducting the amount of the costs to which the state of New Jersey was put to by reason of the forfeiture of said recognizance.

2. *And be it enacted*, That this act be deemed a public act and shall take effect immediately.

Approved May 29, 1886.

CHAPTER CCLIX.

An Act respecting the printing and publication of the laws, and to limit the cost thereof to fifty thousand dollars a year.

Cost of pub-
lishing laws in
newspapers
not to exceed a
certain
amount.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the cost of publishing in the newspapers the laws of this state shall not for the present year, nor for any subsequent year, exceed the sum of fifty thousand dollars; the newspapers to publish the laws shall be selected and designated by the governor and comptroller, as now provided by law, from the news-

papers which by existing laws may be selected and designated, or which by existing laws have authority to publish the same; but no existing act shall require the publication of the laws in any particular newspaper, unless the same shall be hereafter expressly selected and designated by the governor and comptroller; that the designation of newspapers for the present legislative session shall be made within ten days after this act shall have become a law, but that the designation at subsequent legislative sessions shall be made as provided by the act to which this is a supplement.

Newspapers,
by whom
selected.

Designation of
newspapers,
when to be
made.

2. *And be it enacted*, That the governor and comptroller of this state, in selecting and designating the newspapers to publish the laws, shall designate an equal number of newspapers representing each of the two political parties, but only so many as may be fully paid for such publication out of said sum of fifty thousand dollars, at the present statutory rate of fifty cents per folio.

Newspapers
designated to
represent each
political
party, &c.

3. *And be it enacted*, That hereafter there shall be but one index to the pamphlet laws, which shall be prepared by a competent person to be employed by the secretary of state, at an expense not exceeding one hundred dollars in any year, which index shall be made from advance sheets forwarded to the secretary of state by the printer as fast as the printing proceeds, and a copy of such index shall be returned to the printer within one week after the secretary of state shall have received all the advance sheets.

Secretary of
state to employ
person to pre-
pare index to
pamphlet laws.

4. *And be it enacted*, That all acts and parts of acts inconsistent with this act be and the same are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved May 29, 1886.

CHAPTER CCLX.

An Act establishing legal holidays, and regulating the maturity of commercial paper with respect thereto.

- Legal holidays. 1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That the first day of January, the twenty-second day of February, thirtieth day of May, fourth day of July, thanksgiving day, twenty-fifth day of December, and any day upon which a general election shall be held for members of assembly, in each year, and also any day set apart by proclamation of the governor of this state, or by the president of the United States, for the purpose of public observance, shall be a legal holiday, and no court shall be held upon said days except in the cases where said court would now sit upon a Sunday, and no person shall be compelled to labor upon any of said days by any person or corporation.
- Bills, &c., falling due on legal holidays, when due and payable. 2. *And be it enacted*, That when any of the days named in the first section shall occur on a Sunday, the Monday next following shall be observed as a legal holiday, and all notes or bills of exchange or drafts becoming due and payable on such Sunday or Monday, shall be due and payable on the Tuesday next following.
- Notes, &c., due on days named in first section, when due and payable. 3. *And be it enacted*, That all notes and bills of exchange or drafts becoming due and payable upon any of the days named in the first section, shall be due and payable upon the first legal business day following such holiday.
- Notes, &c., due on Sunday, when due and payable. 4. *And be it enacted*, That all notes and bills of exchange or drafts becoming due and payable upon any Sunday, shall be due and payable on the next legal business day following such Sunday.
- Notes, &c., becoming due on days named in first, second and fourth sections, twenty-four hours allowed in addition. 5. *And be it enacted*, That in case of dishonor of any note or bill of exchange or draft becoming due and payable upon any of the days named in the first, second and fourth sections, twenty-four hours shall be allowed, in

addition to the time at which such note or bill of exchange or draft is due and payable under this act, in which to give notice of such dishonor, and every such notice so given as aforesaid shall be valid to all intents and purposes.

6. *And be it enacted*, That all checks which are on their face payable on any specified day or in any number of days after the date thereof, falling due on any of the days named in the first, second and fourth sections, shall be due and payable as hereinbefore provided for notes and bills of exchange or drafts becoming due on said days; and that the same time shall be allowed for giving notice of dishonor as is hereinbefore provided for notes and bills of exchange or drafts.

Checks made payable on certain days, when due and payable.

7. *And be it enacted*, That this act shall take effect upon the first day of May, one thousand eight hundred and eighty-six.

Act, when to take effect.

8. *And be it enacted*, That all laws or parts of laws contrary to this act be and are hereby repealed; *provided, nevertheless*, that promissory notes, checks, bills of exchange and drafts shall be entitled to grace as heretofore.

Repealer. Proviso.

Passed June 1, 1886.

CHAPTER CCLXI.

An act relative to assignments for the benefit of creditors.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That in any assignment for the benefit of creditors heretofore made or hereafter to be made, the final account of the assignee shall be made within one year after the final dividend shall have been made of the assets of such estate, or within such further time as the orphans' court of the county wherein the proceedings have been had shall grant.

Final account of assignee, when to be made.

2. *And be it enacted*, That all acts and parts of acts inconsistent with this act be and the same hereby are, to the extent of such inconsistency, repealed.

Repealer.

3. *And be it enacted*, That this act shall take effect immediately.

Passed June 1, 1886.

CHAPTER CCLXII.

A Supplement to "An act for the preservation of fish," approved April fifth, one thousand eight hundred and seventy-eight.

- Pots, baskets, &c., may be placed in waters of this state for catching of eels or catfish.
- Proviso.
- Eel pots, how placed in streams.
- Penalty for offending against provisions of act.
1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That hereafter it shall be lawful for any person or persons to put, place and keep, either by night or by day, in any of the waters of this state, either above or below tide-water, for the catching of eels or catfish only, and no other fish, any eel pot or pots, basket or baskets, of whatever material the same may be constructed, without any wing ~~or~~ wings; *provided*, the entrance to said eel pot or pots, basket or baskets, shall not be more than (4) inches in diameter, and the outside diameter thereof not to exceed fifteen (15) inches.
 2. *And be it enacted*, That said eel pots, when so set, shall be placed directly on the bottom of the streams or bodies of water, and shall be so set or placed at least fifty (50) feet from each other.
 3. *And be it enacted*, That any person or persons who shall offend against either of the provisions contained in this act shall, upon conviction thereof before any justice of the peace, either in the county in which said offense is committed, or in which the offender resides or may be found, be punished by imprisonment in the common jail of the county where the conviction is had for the term of ten (10) days, or by a fine of twenty (20) dollars and costs, for each and every offense; one-third of the said fine to be paid by said justice into the treasury of the state, one-third to the fish warden making the complaint, and the balance to the person or persons furnishing material evidence toward conviction, or if said fish warden be the only witness he shall receive said balance of fine; and when a fine is imposed, by virtue of this act,

the offender or offenders shall stand committed until such fine and costs are paid.

4. *And be it enacted*, That all acts or parts of acts Repealer. inconsistent with this act, in so far as they are inconsistent herewith, be and the same are hereby repealed; that this act shall be deemed a public act and shall take effect immediately.

Passed June 1, 1886.

CHAPTER CCLXIII.

An Act authorizing the lighting of public streets and places in the cities, towns, townships, boroughs and villages of the state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall hereafter be lawful for the common council, township committee, or other municipal authorities of any city, town, township, borough, or village in the said state, from time to time, and by ordinance or resolution, to order and cause any public street or streets, place or places, or any part or parts thereof, in any such city, town, township, borough, or village, respectively, to be lighted with gas or otherwise, and for that purpose to erect and maintain, or cause to be erected and maintained, all necessary and proper posts, lanterns and fixtures, and to make and enter into any contract or contracts with any other party or parties in relation to the same, and to cause the annual expense thereof, after being ascertained or determined by a resolution of said council, committee or other municipal authorities, to be certified unto the assessor or assessors of said city, town, township, borough, or village; and that such annual expense shall thereupon be levied, assessed and collected from all the real and personal property in said city, town, township, borough, or village, respectively, in the same manner, at the same time and under the same

Authorized to:
order or cause
public streets
and places to
be lighted with
gas, &c.

Annual
expense, how
ascertained
and deter-
mined.

How assessed
and collected.

penalties, (but without any extra compensation therefor,) as the taxes for the working or repairing of roads or streets in such city, town, township, borough or village, respectively, are or may be; *provided, however*, that in making such assessment of the tax hereby authorized, the said assessor or assessors shall not be restricted or controlled in any way whatsoever by any special or other act of the legislature heretofore passed, whereby the amount of any tax to be raised in any city, town, township, borough or village is limited to a certain percentage upon the valuation of the assessed property therein.

2. *And be it enacted*, That any act or acts, or any part or parts thereof, inconsistent with the provisions of this act, is and are hereby repealed in so far as it or they is or are inconsistent herewith, and that this act is hereby declared to be a public act and shall take effect immediately.

Passed June 1, 1886.

CHAPTER CCLXIV.

An Act to authorize turnpike companies to abandon a portion of their roads and property.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That any turnpike company in this state may abandon any portion of their road not exceeding two-thirds of the entire length of the road, when the same may be favored by a vote of those owning a majority of the capital stock of said company; the resolution to abandon a portion of said turnpike shall describe the part so abandoned, and shall be signed by the president and secretary of said turnpike company, duly acknowledged before an officer authorized to take the acknowledgment of deeds in this state, and shall thereupon be recorded in the office of the clerk of the county wherein such turnpike company is situated; *provided*, that the part of said turnpike so abandoned shall be in

Turnpike companies may abandon portion of road.

Description to be recorded, &c.

Proviso.

all respects in as good repair as when the said company began operating the same.

2. *And be it enacted*, That if any turnpike company in this state shall abandon any portion of their road it shall not impair their right to collect toll on the unabandoned portion of said turnpike; *provided*, that said company shall collect only such proportion of the toll previously allowed as the length of the portion of the turnpike not abandoned bears to the abandoned portion; and said turnpike company shall, of the portion of road retained by said company, have all the rights, powers and privileges, and be subject to all the duties, liabilities and restrictions which said turnpike company had under its charter.

Right to collect toll on abandoned portion of road not impaired.

Proviso.

3. *And be it enacted*, That this act shall take effect immediately.

Passed June 1, 1886.

CHAPTER CCLXV.

An Act concerning suits for violation of ordinances in cities, boroughs and incorporated towns.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That when any suit shall be brought in any city, borough or incorporated town for the violation of any ordinance or ordinances, it shall only be necessary to state in the complaint the number of the section violated, briefly setting forth enough of the language of the section to apprise the defendant of the charge.

What necessary to state in suits for violation of ordinances.

2. *And be it enacted*, That no state of demand shall be required to be filed other than the complaint.

No state of demand required to be filed.

3. *And be it enacted*, That all acts and parts of acts, whether special or public, inconsistent herewith be repealed.

Repealer.

4. *And be it enacted*, That this act shall take effect immediately.

Passed June 1, 1886.

CHAPTER CCLXVI.

An Act to authorize the owner or owners of stud farms within this state to hold fairs or exhibitions upon said farms.

Owners of stud farms, &c., may hold fairs, exhibitions, &c.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for the owner or owners of any stud farm or farms used for the breeding of fancy trotting or racing stock in the state of New Jersey to hold upon the said farm, from time to time, and as often as such owner or owners may deem proper, fairs or exhibitions for the development of speed or other desired qualities, and, to encourage competition, may offer premiums and rewards for stock exhibited and for superiority in the objects sought for, and to ask, demand and receive, for his or their own use, reasonable fees for admittance.

Owners to have police jurisdiction on their grounds.

2. *And be it enacted*, That for the purpose of preserving good order, peace and decorum upon and about farms or exhibition grounds and among the visitors and spectators to the same, the said owner or owners shall have police jurisdiction within the boundaries of any of their said grounds; and they shall not sell or permit to be sold upon their said grounds any vinous, spirituous or malt liquors, nor shall they gamble or permit gambling in any form whatever upon their said grounds; and it shall also be lawful for the said owner or owners of such stud farms to appoint, from time to time, one or more fit, proper and discreet person or persons, who shall take and subscribe before one of the judges of the court of common pleas or one of the justices of the peace of the county, where the said farm or exhibition grounds are situate or held, an oath or affirmation, which oath or affirmation shall be filed in the office of the clerk of said county, and shall be of like form and effect as now required by law for constables to take and subscribe, and the date of filing shall be en-

Selling of liquors and gambling prohibited on grounds.

Owners may appoint persons to act as constables, &c.

dorsed by said clerk, who shall be paid the lawful fee for filing such papers, and which said person or persons so appointed and sworn shall possess the same authority and powers on the said stud farm and exhibition grounds, and on the lands and premises adjacent thereto, within the limits named in this section of this act, which constables now possess in criminal cases in this state.

3. *And be it enacted*, That the said person or persons so appointed shall have power and authority, without process, to arrest any and all persons who shall be there found violating any of the laws of this state, or who shall conduct themselves in a disorderly or immoral manner, or disturb or wrongfully interfere with the meetings and exhibitions or visitors thereto, or rules and regulations of said owner or owners, which said rules and regulations shall be plainly printed and posted in a conspicuous manner about the said farm and exhibition grounds; and said parties so arrested shall be taken, as soon as conveniently may be, before some justice of the peace of the said county, there to be dealt with according to law.

Persons appointed authorized to arrest without warrant persons violating laws, &c.

4. *And be it enacted*, That this act shall take effect immediately.

Passed June 1, 1886.

CHAPTER CCLXVII.

An Act concerning cities.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in any city of this state in which there is land owned by such city and not required for the purpose for which it was purchased, the board of aldermen or common council or other governing body of any such city is hereby authorized by an affirmative vote of four-fifths of all the members of such board, council or other governing body, with the concurrence of the board having charge of the finances of such city and the

Cities authorized to assume control of land and prepare same to be used as a public park.

approval of the mayor of such city, to assume control of such land, and to prepare and allow the same to be used by the public as a park or place of recreation.

May expend
certain amount
for improving
and main-
tenance of
park.

2. *And be it enacted*, That the board of aldermen, common council or other governing body of any such city may expend for the purpose of improving such land, and rendering the same suitable for the purposes of a park or place of recreation, such sum of money, not exceeding the sum of ten thousand dollars, as shall be appropriated for such purpose, and may expend for the purpose of maintaining and improving such park such sum of money, not exceeding one thousand dollars each year, as shall be appropriated therefor.

May appoint
keepers and
adopt rules and
regulations,
&c.

3. *And be it enacted*, That the board of aldermen, common council or other governing body of any such city shall have power to adopt such rules and regulations, and appoint one or more keepers for the care and safety of such park, as may be deemed necessary for the purpose; *provided*, that an appropriation shall be made for the purpose.

Proviso.

4. *And be it enacted*, That this act shall take effect immediately.

Passed June 1, 1886.

CHAPTER CCLXVIII.

A Supplement to the act entitled "An act concerning escheats," passed February twenty-seventh, one thousand eight hundred and twenty-eight [Revision, page three hundred and seventy-five].

Section
amended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section four of the act to which this is a supplement be amended so as to read as follows:

[4. *And be it enacted*, That jurors and witnesses in every case of escheat shall be entitled to the like compensation

as is authorized by law for attending in causes commenced in the supreme court; and that the expenses of conducting the said proceedings shall be made out by the treasurer, and, when approved of by the comptroller, shall be paid by him; and any person or persons who have any claim or claims against the estate of any such intestate whose lands have so escheated to the state, may give notice thereof, under oath, to the treasurer of the state, who thereupon shall hold any moneys which may or shall come into his hands, derived from the sale of any lands of such intestate against whose estate claims have been filed with the treasurer, and whose lands have so escheated, for the space of one year, and no claim shall be received by the treasurer which shall not be filed with him within the year aforesaid; and when such claims shall be proven to the satisfaction of the treasurer and audited by the comptroller, they shall be paid by the treasurer; *provided*, said estate shall not prove to be insolvent, in which case the treasurer shall be empowered to pay the claims against said estate ratably.]

Compensation to be made by the state for certain services.

Claims against estate to be presented to state treasurer within one year.

Claims proven to be paid by treasurer.

Proviso.

2. *And be it enacted*, That this act shall take effect immediately.

Passed June 1, 1886.

CHAPTER CCLXIX.

A Supplement to an act entitled "An act for the formation of borough governments in seaside resorts," approved March twenty-ninth, one thousand eight hundred and seventy-eight.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the borough councils of all boroughs incorporated, or hereafter to be incorporated, under the provisions of the act to which this supplement, shall have power, by ordinance, to regulate, establish and enforce the observance of building lines in

Borough councils may pass ordinances to regulate, establish, &c., building lines.

their respective boroughs, providing said act shall in nowise interfere with such building lines as may have heretofore been established.

2. *And be it enacted*, That this act shall take effect immediately.

Passed June 1, 1886.

CHAPTER CCLXX.

A Further Supplement to the act entitled "An act to provide additional accommodations for the insane of this state," approved March thirty-first, one thousand eight hundred and seventy-one, and the supplements thereto.

Amount appropriated to establish a system of sewerage, and how paid.

•
Proviso.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in order to enable the board of managers of the state asylum for the insane at Morristown, New Jersey, to establish a system of sewerage for that institution, that the sum of thirty thousand dollars be and the same is hereby appropriated, to be paid by the treasurer of the state on warrant of the comptroller drawn on the requisition of said managers; *provided*, that none of the money appropriated hereby shall be used or expended for any purpose whatever, except for the purposes of sewerage.

2. *And be it enacted*, That this act shall take effect immediately.

Passed June 1, 1886.

CHAPTER CCLXXI.

An Act to amend an act entitled "An act to establish an excise department in cities of this state," passed April eighth, one thousand eight hundred and eighty-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section one of the act to which this is an amendment be and the same is hereby amended to read as follows:

[1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in all cities of this state it shall and may be lawful for the common council or other governing board of said city to pass, enforce, alter and repeal ordinances to take effect within said city for the following purposes, to wit: to provide for the establishment of a board of excise commissioners, to consist of five members, to serve for the term of three years, no more than three of whom shall belong to the same political party, which board shall be elected on a general ticket at the charter election in such city next after the passage of such ordinance, in the same manner as other officers in said city are elected; *provided, however*, that no voter shall vote at such election for more than three of said commissioners, and the five persons receiving the highest number of votes for such office shall be declared duly elected; that the salary of said commissioners shall be fixed by ordinance, but shall not exceed the sum of three hundred dollars each per year, and the said salary shall be paid out of the license fees; that such board of excise commissioners shall have the sole power within such city to make, establish, amend or repeal ordinances and by-laws to license and regulate or prohibit inns and taverns, restaurants and beer saloons, and when licensed to revoke or transfer such license, and to prohibit all traffic in or sale of intoxicating drink or drinks, to license, regulate or prohibit billiard saloons and bowling alleys, and to pre-

Section
amended.

Common
council may
provide by
ordinance for
the establish-
ment of board
of excise.

Proviso.

scribe and enforce a penalty or penalties, either by fine or imprisonment, for the violation of such ordinances or by-laws, which said penalties shall be enforced and collected by said board of excise commissioners in the same manner as any other penalties are enforced and collected in any such city, and that every ordinance or by-law of such board of excise commissioners shall, after its introduction and before its final passage, be published for four insertions in two newspapers, if so many there be published and circulating in such city, and be concurred in by at least three members of such board of excise commissioners as may be present at its final passage; and no other license for such purposes within said city, granted by any other authority shall be lawful; that all fees for licenses granted by said commissioners shall be paid to the city clerk, who shall, in addition to his other duties, act as the clerk of said commissioners, and by him be paid over to the city treasurer.]

Passed June 1, 1886.

CHAPTER CCLXXII.

A Supplement to an act entitled "An act to authorize cities to construct sewers and drains, and to provide for the payment of the cost thereof," approved March eighth, one thousand eight hundred and eighty-two.

Cities authorized to assess property to amount benefited for costs and expenses in constructing main sewers.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever a main sewer has been or shall hereafter be constructed by the board of aldermen of any city in this state, pursuant to the powers vested in them by virtue of the act to which this is a supplement, and the benefits of such main sewer are extended to other property by the building of lateral sewers or connections, there shall be assessed upon such property such portion of the cost and expense of such main sewer or sewers as will equal the amount of the

benefits actually acquired by said property, which assessment may be made in connection with an assessment for such lateral sewers, or as an independent assessment.

2. *And be it enacted*, That in the place of incorporating in the annual tax levy in each year the amount that shall be required to be paid by any city at large, on account of the construction of any sewer or drain in the next preceding fiscal year, over and above the total amount of the assessment made against the lands and real estate peculiarly benefited, it shall be lawful for the board of aldermen, for the purpose of paying the amount so required to be paid by the city at large, and of providing for the interest on the bonds to be issued, to issue bonds in the corporate name of the city, and pledging for the redemption thereof the faith of said city, under the seal of said city, and attested by the city clerk, of such denomination as to them shall seem fit, bearing interest at a rate not to exceed five per centum per annum, and redeemable in not more than twenty years from date, and to dispose of the same from time to time as may be necessary; *provided, however*, that said bonds shall not be disposed of at less than their par value.

Authorized to
issue bonds to
amount
required to be
paid by cities
at large, &c.

Bonds, how
issued, &c.

Proviso.

3. *And be it enacted*, That this act shall take effect immediately.

Passed June 1, 1886.

CHAPTER CCLXXIII.

An Act entitled "An act to provide a compensation to be paid to the inspector of factories and work-shops from March twenty-third to April twenty-first, one thousand eight hundred and eighty-six."

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the comptroller be and he is hereby authorized to draw a warrant upon the treasurer for the salary of Lawrence T. Fell, as the inspector of

Treasurer
authorized to
pay salary of
inspector of
factories, &c.

factories and work-shops, at the rate provided by law for said office, for his services in said office for the period from the twenty-third day of March to the twenty-first day of April, one thousand eight hundred and eighty-six.

2. *And be it enacted*, That this act shall take effect immediately.

Approved June 2, 1886.

CHAPTER CCLXXIV.

An Act to provide additional compensation for the officers of the legislature.

State treasurer
authorized to
pay additional
compensation
to officers of
the legislature.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That the several pages of the senate be paid an additional compensation of twenty-five dollars each for services during the present session of the legislature; that the several clerks and officers of the senate and house of assembly, who have not received any compensation for services during the impeachment trial, be paid fifty dollars each for extra services; that the several doorkeepers and pages of the senate and house of assembly who have not received any compensation for services during the impeachment trial be paid twenty-five dollars each for extra services, and that the payments herein provided for be paid by the treasurer on the warrant of the comptroller.

2. *And be it enacted*, That this act shall take effect immediately.

Approved June 2, 1886.

CHAPTER CCLXXV.

A Supplement to an act entitled "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four.

WHEREAS, By the provisions of their several charters or Preamble. of the act entitled "An act respecting railroads and canals" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four, many railroad and canal corporations were and are required to pay an annual tax of one-half per centum per annum upon the cost of their several railroads and canals, and also in many cases upon the cost of the equipment and appendages of their several roads and canals, which cost was required to be reported under oath by an officer or officers of said several railroads and canals; *and whereas*, there is good reason to believe that the cost of the said railroads, canals, equipment and appendages have not been fully or correctly stated in the said reports, and that thereby the payment of large amounts of the annual taxes due and payable by such corporations has been evaded; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the state board of assessors State boards of assessors authorized to examine into the correctness of reports of railroads and canals. be and they are hereby authorized and directed to examine and ascertain the correctness or incorrectness of any or all of the reports heretofore made by any or all of the railroad and canal corporations created by this state, or by the vendee, lessee or lessees of any such corporation, and which reports have been made to any officer or officers of this state pursuant to any provision contained in any law passed or any charter granted by the legislature of this state; and that for the purpose of making such examination and ascertainment effectual the said board may employ such accountants, engineers and experts as May employ accountants and engineers they may deem necessary, and such accountants, engineers

and experts shall receive such compensation as may be approved by the governor and comptroller of the state.

Board and
accountants
empowered to
examine
books, papers,
&c., of rail-
roads, &c.

Corporations
required to
permit
examinations.

Duty of attor-
ney-general
upon neglect
or refusal of
corporations to
permit exam-
inations, &c.

Board to make
report to attor-
ney-general.

2. *And be it enacted*, That the said board and the accountants employed as aforesaid be and they are hereby authorized and empowered to have free access during ordinary business hours to, and to examine all books, reports, requisitions, engineers' estimates and other papers of any railroad or canal corporation created by the laws of this state, or by any charter granted by the state, and required by law or its charter to make such reports as aforesaid, or of any vendee, lessee or lessees of such corporation, which contain entries or other information respecting the cost of the construction or maintenance of the railroad or canal, equipment and appendages operated by such corporation, and to make such copies and extracts therefrom as the said board shall deem necessary to determine the correctness of said reports; and each and every such corporation is hereby required to permit such access and examination as aforesaid, upon the written demand of the president of said board for the same, served upon the president, or, in his absence, upon the secretary of such corporation, vendee, lessee or lessees, and in case any such corporation, vendee, lessee or lessees shall neglect or refuse to permit such access and examination for the space of ten days after service of such demand as aforesaid, at the request of said board, the attorney-general shall apply to the court of chancery by petition setting forth such demand and neglect or refusal, and upon proof thereof made before the chancellor, on five days' notice to such corporation, to be served as the chancellor may direct, the said chancellor may in his discretion issue the state's writ of injunction to restrain such corporation, vendee, lessee or lessees, from the exercise of any franchise or the transaction of any business in this state, until such corporation, vendee, lessee or lessees shall have complied with such demand and shall have paid the costs of such application, in which shall be included a suitable allowance to the attorney-general for his services in such proceeding, to be fixed by the chancellor.

3. *And be it enacted*, That if, upon such examination and ascertainment as aforesaid, said board shall have reason to believe that in any of the said reports the cost

of any railroad or canal or of the equipment and appendages thereof, have been incorrectly stated at a less sum than the true cost thereof, they shall so report to the attorney-general and he shall present a petition in the name of the state of New Jersey, to a justice of the supreme court setting forth the errors in any report or reports made by any railroad or canal corporation, and praying that the said justice may reform and correct the same; and all errors in all the reports made by any corporation may be embraced in one petition and proceeding; and it shall be the duty of the said justice to hear and decide the said application, upon depositions or upon evidence taken by himself, and he may compel the attendance of witnesses, and the production of all books, deeds, reports, contracts, engineers' estimates, and other papers of the railroad or canal corporation making the report or reports in question defendant in the proceeding which contain entries of information respecting the cost of construction or maintenance of the railroad or canal, equipment, and appendages in question in the proceeding, before a supreme court commissioner or himself, and punish such witnesses or the officers of such corporations as for a contempt upon their failure to appear or answer or to produce the said books and papers; and the said justice shall, upon such proofs, reform the said report or reports, if the cost stated therein be less than the true cost of the said railroad or canal, or of the equipment and appendages thereof, and shall ascertain and determine the amount of tax due and payable from the defendant corporation by reason of such errors in said report or reports, together with interest thereon at the rate of six per centum per annum from the time of making such erroneous report, and shall also ascertain and allow the reasonable expenses incurred by the state in the proceeding, and a reasonable compensation to the attorney-general or his assistants acting therein, for his or their services therein, which shall be paid by the defendant corporation, and shall certify his reformation, ascertainment and determination aforesaid under his hand to the state comptroller, who shall file the same in his office; and the said justice shall control and regulate the proceedings upon each petition, so that he can decide the same within ninety

Justice of
supreme court
to hear and
decide
application.

Justice to
reform reports
and allow
expenses and
compensation.

Certificate of
reformation,
determination,
&c., to be filed
with state
comptroller.

Time stated
within which
cases are to be
decided.

Proviso.

Failure of cor-
poration to pay
tax, &c., within
a certain time,
judgment to be
entered in
supreme court.

Execution
may be issued,
&c., and fran-
chises,
property, &c.,
sold.

days after the presentation thereof, unless he shall extend the time by certificate under his hand, stating the time for such extension and the reasons therefor, and upon the completion of the proceedings, the petition, proceedings and proofs shall be filed in the office of the state comptroller; *provided*, that in ascertaining whether any company is indebted to the state for taxes under the investigation herein provided for, the company shall be allowed for over-payments of taxes in any one or more years (if any such there be) in determining the amount due the state.

4. *And be it enacted*, That whenever any corporation, defendant in such proceeding as aforesaid, shall fail to pay the amount of tax and interest, expenses and allowance certified as aforesaid by the said justice to the said comptroller for ten days after the filing of such certificate in the comptroller's office, it shall be the duty of the attorney-general forthwith to apply to a justice of the supreme court for an order that the said tax and interest, expenses and allowance so certified by the aforesaid justice, and also a further reasonable sum to be certified by said justice for the expense of said proceeding before him and for the services of the attorney-general therein, shall be made a record of the supreme court and judgment entered for the amount in the name of the state of New Jersey as plaintiff and against such corporation as defendant, which order shall be made forthwith upon a certified copy from the comptroller of the reformation, ascertainment and determination aforesaid on file in his office and the certificate of the state treasurer that the sum or sums awarded in said certificate have not been paid; and the attorney-general may then apply for an order of the said justice that an execution forthwith issue on said judgment, to be directed to a master in chancery to be named in said order; and such an order may be applied for ex parte, and in all cases the proceedings shall be summary under such execution; the master to whom the same shall be directed shall sell all the franchises of the said corporation, and also so much of the real, personal and mixed property of the corporation as may be sufficient to make the amount due on said judgment and the usual execution fees; such sale shall pass the absolute title to said franchises and property sold thereunder free and

clear of all liens and encumbrances whatever, except of other taxes levied thereon; such notice, advertisement and publication of such sale shall be given not less than four weeks, as shall be directed in the order for execution, and no other notice, advertisement or publication shall be necessary.

5. *And be it enacted*, That the attorney-general shall act Attorney-general to act as counsel, and may employ assistants. as counsel to said board, and, with the approval of the governor and comptroller, the attorney-general shall employ such assistant attorneys or counsel as may be necessary to assert and protect the rights of the state in the examination and proceedings authorized by this act, and such assistants shall be paid by the state such compensation as may be approved by the state board of assessors, nor shall the total amount expended under this act exceed the sum of seven thousand dollars. Compensation of.

6. *And be it enacted*, That this act shall take effect immediately.

Approved June 10, 1886.

CHAPTER CCLXXVI.

A Further Supplement to an act relative to sales of land under a public statute, or by virtue of any legal proceeding [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four, and the supplement thereto, approved April ninth, one thousand eight hundred and seventy-five.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That no sale of land heretofore made shall be invalidated by reason of the omission to publish the advertisement of such sale in two newspapers printed and published in the county in which such lands are situate, in the manner required by the acts to which this is a further supplement, but that any purchaser or purchasers of lands at such sale, who shall have complied Sale of land not invalidated by failure to publish advertisement of sale.

Proviso.

with the conditions of such sale, shall be entitled to have a deed for the lands so purchased, notwithstanding the sale was advertised in but one newspaper of the county in which the land was situated; *provided*, that where the sale has been made by direction of any court of competent jurisdiction, an order confirming such sale shall first be made by said court, or a judge thereof, upon it appearing to the satisfaction of said court or judge that the land has been sold for a fair price and that it is proper in such case to make the order, and a deed or deeds so given shall operate to transfer the title to the purchaser or purchasers as fully as if the sale had been advertised in two newspapers of the county where the lands are situated in the manner and as required by the act to which this a further supplement.

2. *And be it enacted*, That this act shall take effect immediately.

Approved June 19, 1886.

CHAPTER CCLXXVII.

An Act to provide for the purchase of turnpike and macadamized toll roads.

Proceedings
for the con-
demnation and
purchase of
turnpike or
macadamized
toll roads.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever an application in writing, as hereinafter specified, shall be presented to the justice of the supreme court holding the circuit court of any county in this state wherein any turnpike or macadamized toll road is wholly or partially located, asking for the condemnation and purchase of such road, or part thereof, and the acquirement thereof for free public use, such justice may, if he deem it a proper case, upon such notice to the board of chosen freeholders of said county and to the corporation owning, leasing or operating such road as he may direct, appoint three commissioners from the counties composing such circuit, not more than two being from the same county; the said ap-

plication shall be made by at least ten freeholders owning lands along or through which said road, or part thereof, runs, and shall be also signed by a majority of the directors of the corporation owning, leasing or operating such road; the said commissioners, when appointed, shall take an oath or affirmation faithfully and fairly to perform their duties, and shall thereupon proceed to estimate and determine the fair and just value of the said road, or part thereof, to be taken, and of the franchise of the corporation owning, leasing or operating the same, having first given ten days' notice of the time and place when and where they will meet to hear any representations in behalf of said corporation, or of the board of chosen freeholders of such county, in relation to the matter; such notice shall be served upon the president or other chief officer of such corporation and also upon the director of the board of chosen freeholders, and shall be published in one newspaper published in such county at least one week prior to the time of such meeting; such meeting may be adjourned from time to time, at the discretion of the commissioners.

2. *And be it enacted*, That as soon as the commissioners, or any two of them have made such valuation, they shall prepare and sign a certificate thereof and file the same in the office of the clerk of such county; and thereupon it shall become the duty of the board of chosen freeholders, within thirty days from the date of such filing and of service upon the director of a copy of said certificate, unless an appeal be taken, to pay to said corporation the amount of the said valuation, if it will receive the same, or in case it will not receive the same, to deposit the said amount with the clerk of said county; and upon such payment or deposit the title to and right of possession of said road, or part thereof, and the franchise of said corporation to operate the same, shall become vested in the board of chosen freeholders of said county, for free public use, and shall be worked and maintained by the inhabitants of the township or townships through which the said road or part thereof shall run.

3. *And be it enacted*, That in case the said corporation or the board of chosen freeholders shall conceive themselves aggrieved by the award of the commissioners, they

Commissioners to file certificate of valuation in county clerk's office.

Appeal from award of commissioners may be taken. &c.

may appeal therefrom to the circuit court of such county at any time within thirty days from the date of filing such certificate and service upon them of a copy thereof; and the said court shall order a jury to assess the value of said road, or part thereof, and said franchise, the trial whereof shall be conducted, as in other cases of trial by jury, upon an issue to be framed under the direction of the court as to the value of said road, or part thereof, and franchise, and the final judgment of said court shall be conclusive as to said valuation, and the amount therefor paid or deposited shall be increased or diminished accordingly.

Amount
awarded, how
paid.

4. *And be it enacted*, That the amount finally awarded for said road, or part thereof, and franchise as aforesaid, with the expenses attendant upon said determination, shall be paid by the board of chosen freeholders out of any money not required to meet other expenses for which the same shall have been theretofore appropriated; and in case there be not sufficient funds on hand not otherwise appropriated or required, the said board may borrow the same by temporary loan, and provide for the payment thereof in the next annual appropriation and tax levy.

Compensation
of commis-
sioners.

5. *And be it enacted*, That such commissioners shall be entitled to receive for their services the sum of five dollars a day, respectively, for each day engaged in such service.

6. *And be it enacted*, That this act shall take effect immediately.

Approved June 19, 1886.

CHAPTER CCLXXVIII.

An Act to authorize cemetery associations to sell and convey certain portions of their lands for other than burial purposes, and to provide for the disposition of the proceeds of such sale.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever the board of directors, managers or trustees of any cemetery association, company or corporation of this state, organized either under general or special law or laws, or the body having the management of any cemetery in this state, by whatever name such body may be known, shall determine by resolution that, in their opinion, the interests of such cemetery association, company or corporation would be promoted by the sale of any portion of its lands not suitable for burial purposes, upon which no burials shall have been made except such lands as have been dedicated for a park and so expressed in the deeds given for lots sold, or have been set aside for building purposes, for other than burial purposes, and shall in such resolution particularly describe the portion of such lands which they propose to sell, such board or body shall, within one week after the passage of such resolution, give public notice, signed by the secretary of such board or body, of the time and place, when and where a meeting of the members of such association, company or corporation will be held to determine by vote whether such board or body shall be authorized to sell the lands described in such resolution.

When governing body of cemetery association determine that the interests of the association would be promoted by the sale of certain lands, public notice to be given, &c.

2. *And be it enacted*, That the public notice aforesaid shall contain the description of the lands proposed to be sold, and shall be published in two newspapers printed and published in the county wherein such cemetery may be situate, and shall be continued therein at least four

What notice to contain and how published.

weeks successively, once a week, next preceding the time for said meeting.

If majority of votes in favor of sale, board authorized to offer lands sold.

3. *And be it enacted*, That if a majority of the votes cast at such meeting shall be in favor of such sale as aforesaid, then the board or body having the management of such cemetery shall be authorized and empowered to offer at public sale the lands so authorized to be sold.

When lands sold secretary of association to call meeting of association to confirm sale, &c.

4. *And be it enacted*, That after such land as aforesaid shall have been offered at public sale and struck off to a bidder or bidders, the secretary of such cemetery association, company or corporation shall call a meeting of the members thereof, by public notice, published in two newspapers printed and published in the county wherein such cemetery may be situate, for two weeks successively, once a week, next preceding the time for said meeting, at which meeting the members shall vote "to confirm" or "not to confirm" such sale or sales; and if a majority of the votes cast at such meeting shall be "to confirm" such sale or sales, the board or body having the management of such cemetery shall cause to be executed and delivered to the bidder or bidders good and valid deed or deeds of conveyance for the lands so sold as aforesaid.

Proceeds of sale, how applied.

5. *And be it enacted*, That the proceeds of such sale or sales shall be appropriated to the payment of the legal debts and liabilities of such cemetery association, company or corporation, and that the balance remaining after payment of such legal debts and liabilities shall be held by the board or body having the management of such cemetery as a permanent fund, and shall be safely invested by such board or body and the annual interest thereof expended by them upon said cemetery in repairs, improvements, ornamentation and other necessary expenses; *provided*, that no part of said interest shall be paid as fees or salary to any member of such board or body; *and, provided, further*, that in the case of any cemetery association, company or corporation, which is or may be composed in part of the holders of shares of capital stock and in part of the owners of burial lots, the proceeds of such sale or sales, after payment of legal debts and liabilities, shall be divided into two equal parts or shares, one of which parts or shares may be paid as a dividend to the holders of cap-

Proviso.

Proviso.

ital stock, and the other of which shall be held by the board or body having the management of such cemetery as a permanent fund, and shall be safely invested by such board or body and the annual interest thereof expended as aforesaid for repairs, improvements, ornamentation and other necessary expenses.

6. *And be it enacted*, That the voting at any meeting of any cemetery association, company or corporation, called under the provisions of this act, shall, as to the rights and qualifications of voters and the manner of conducting the election, be regulated and controlled by the laws, rules and by-laws which regulate the election of officers in any such cemetery association, company or corporation.

Voting, how regulated and controlled.

7. *And be it enacted*, That this act shall take effect immediately.

Approved June 22, 1886.

CHAPTER CCLXXIX.

An Act to authorize the cities and other municipalities of this state to devote to other public use lands held for burial purposes, and to make provision for the removal and protection of the remains interred therein.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That where lands held by the cities or municipalities of this state for burial purposes are or may be affected by any trust that they shall be devoted to that use, and in the judgment of the common council or other governing body the public good will be served by devoting such lands to other public uses, it shall and may be lawful in every such case to use such lands for any public purpose or use to which, in the judgment of the common council or other governing body, they are best adapted.

Certain lands held for burial purposes may be devoted to other public uses.

Common
council to pro-
vide for
removal of
remains.

2. *And be it enacted*, That in case interments have at any time been made on such lands or any part thereof, the common council or other governing body shall cause the remains so interred to be removed to some suitable and proper burial place, and make proper and reasonable provision therefor and for the protection thereof, and to this end may make such reasonable appropriation of public moneys as may be necessary.

3. *And be it enacted*, That this act shall take effect immediately.

Approved June 29, 1886.

Joint Resolutions.

JOINT RESOLUTIONS.

NUMBER I.

Joint Resolution in relation to the ordnance department,
state of New Jersey.

WHEREAS, There is now in possession of the ordnance department of the state of New Jersey a small brass cannon, which was given to the village of Caldwell by General Decatur at the time of the visit of General Lafayette to the United States, in the year one thousand eight hundred and twenty-five; *and whereas*, the said cannon was taken possession of by the state during the late civil war in the belief that it belonged to the state; *and whereas*, there is in existence no documentary evidence of the ownership of said cannon which would warrant the quartermaster-general in returning it to the rightful owners; therefore,

1. BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey*, That the quartermaster-general be and he is hereby directed to return the said cannon, with its carriage, to the custody of the township committee of Caldwell, in the county of Essex.

2. *And be it resolved*, That this resolution shall take effect immediately.

Passed March 2, 1886.

NUMBER II.

Joint Resolution in relation to loaning arms to Battery A,
of Trenton, New Jersey.

1. BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey*, That the quartermaster-general be

and he is hereby authorized in his discretion to loan to Battery A, a military organization located and established in the city of Trenton, one three-and-one-half inch bronze piece and limber, with firing implements complete, one six-pound caisson and limber, with implements complete, and fifty sabers and belts complete; *provided, however*, that the said Battery A first enter into bond, with two or more sureties, to the said quartermaster-general, in an amount equal to the value of said arms loaned, to return said arms to the state of New Jersey when the same may be required.

2. *And be it resolved*, That this resolution shall take effect immediately.

Passed March 2, 1886.

NUMBER III.

Joint Resolution authorizing the loan of arms and accoutrements to the Lincoln Zouaves, of Paterson, New Jersey.

1. *BE IT RESOLVED by the Senate and General Assembly of the State of New Jersey*, That the quartermaster-general be and he is hereby authorized to loan to The Lincoln Zouaves, a military organization located and established at Paterson, eighty stands of arms, with the necessary equipments thereto appertaining; *provided*, that the said The Lincoln Zouaves shall first give bond to the said quartermaster-general, with two or more sufficient sureties, in an amount equal to the value of said arms and equipments loaned, conditioned for the safe keeping and return of said arms and equipments to the state of New Jersey when required.

2. *And be it resolved*, That this resolution shall take effect immediately.

Approved March 6, 1886.

NUMBER IV.

Joint Resolution authorizing the payment of a pension to Charles Rutter, a soldier of the war of eighteen hundred and twelve.

WHEREAS, Charles Rutter, a member of Captain Reuben D. Tucker's company of volunteers, in the war of eighteen hundred and twelve, is not on the pension roll of this state; *and whereas*, the muster rolls of said company were destroyed by fire with the house of Samuel Lyons, in which they were deposited, and were not, therefore, returned to the proper office; *and whereas*, the said Charles Rutter is now ninety-three years of age, and is believed to be the only surviving member of said company, and therefore unable to prove service in the manner required by the laws of this state; therefore,

1. BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey*, That the adjutant-general is hereby authorized to place the name of the said Charles Rutter upon the pension roll of the state, and payment to the said Charles Rutter of the pension allowed by this state to soldiers of the war of eighteen hundred and twelve is hereby authorized from January first, one thousand eight hundred and eighty-six.

2. *And be it resolved*, That this joint resolution shall take effect immediately.

Approved April 6, 1886.

NUMBER V.

Joint Resolution authorizing the loan of arms to the Transom Guards, of Trenton, New Jersey.

1. BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey*, That the quartermaster-general be and he is hereby authorized to loan to the Transom Guards, a military organization located and established in the city of Trenton, fifty stands of arms, with the necessary equipments thereto appertaining; *provided*, that the said Transom Guards shall first give bond to the said quartermaster-general, with two or more sufficient sureties, in an amount equal to the value of said arms and equipments loaned, conditioned for the safe keeping and return of said arms and equipments to the state of New Jersey when required.

2. *And be it resolved*, That this resolution shall take effect immediately.

Approved April 12, 1886.

NUMBER VI.

Joint Resolution authorizing the appointment of a commission to locate and mark out the boundary line between the state of New Jersey and the state of New York in Raritan bay.

WHEREAS, Disputes are constantly arising between citizens of this state and citizens of the state of New York engaged in the shell fisheries in Raritan bay as to the boundary line between the two states in lands under

water of said Raritan bay; *and whereas*, that by reason of the absence of any means to locate the boundary line there exists an uncertainty about the true location thereof between the state of New Jersey and the state of New York, as defined in the act entitled "An act for the settlement of the territorial limits and jurisdiction between the states of New Jersey and New York," passed the sixth day of February, one thousand eight hundred and thirty-three; now, therefore,

1. BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey*, That the governor of this state be and he is hereby authorized to appoint three commissioners with power on the part of the state to meet any authorities of the state of New York who may be duly authorized, and with them, locate and mark out by proper buoys the boundary line between the two states in lands under water of Raritan bay; that the expenses of said commission shall be paid by the treasurer, on the warrant of the comptroller, after being first approved by the governor.

2. *And be it resolved*, That this resolution shall take effect immediately.

Approved April 20, 1886.

NUMBER VII.

Joint Resolution providing for a prison for female convicts and a female reformatory.

1. BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey*, That a joint committee, consisting of two senators and three assemblymen, be appointed by the president of the senate and the speaker of the house of assembly, to consider the propriety of establishing a separate prison for female convicts, including a reformatory for girls between the ages of sixteen and twenty-one, to be under the control and management of female officers exclusively, and report by bill or otherwise to the next legislature.

Approved April 20, 1886.

NUMBER VIII.

A Joint Resolution relative to the New Orleans Industrial and Cotton Centennial Exposition.

1. BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey*, That the sum of eight hundred and twenty dollars and fifty-five cents, or so much thereof as may be necessary, be and the same is hereby appropriated to pay certain bills of expenses incurred under the direction of the state superintendent of public instruction in connection with the educational exhibit of this state at the New Orleans Industrial and Cotton Exposition in the year one thousand eight hundred and eighty-five, and not provided for in the act to defray the expenses incurred by the commissioner to the said exposition; the said bills to be paid by warrant of the comptroller upon the state treasury, upon presentation of the proper vouchers.

2. *And be it resolved*, That this joint resolution shall take effect immediately.

Approved May 11, 1886.

Proclamations.

PROCLAMATIONS.

PROCLAMATION BY THE GOVERNOR.

General ULYSSES S. GRANT died on the morning of the 23d of July.

A nation mourns the loss of an illustrious soldier, whose history is written in the hearts of the people.

Gratitude and affection will rear a monument whose grandeur will be a fitting tribute to the hero who sleeps beneath, but his eternal monument will be the union of states preserved through his genius and the bravery of his comrades. The most glorious tribute paid to his memory will be the love and sorrow of fifty millions of freemen.

When the dust of ages shall cover with forgetfulness the names and histories of his brave comrades, there will still stand in the march of the centuries, clear and bright, the name and fame of ULYSSES S. GRANT, the victorious leader of the union armies.

On behalf of the people of this state, I deemed it proper, immediately upon his decease, to drape the public buildings in mourning, order our flags at half-mast, and telegraph his family the profound sorrow and sympathy of our people.

I have waited until the time and place of his funeral was determined and the arrangements therefor so far perfected as to enable me to take further action.

All the regiments and battalions of the national guard of the state have expressed their desire to parade in the funeral procession.

The Grand Army of the Republic in this state, under its department commander, will form part of the mighty army of mourners that will follow the hero to his grave.

The governor and staff, the state officers and a com-

mittee of the senate and general assembly will accompany the remains to their final resting place.

I deem it proper to set apart the day of the funeral for services in honor of the deceased. In taking this action I give expression to the wishes of all the citizens of the state.

Therefore, I, LEON ABBETT, governor of the state of New Jersey, do hereby direct that on Saturday, the eighth day of August, all public buildings shall be closed and draped in mourning; and I earnestly request all our citizens to desist from all worldly employment, and devote the day to appropriate religious services and such other demonstrations of sorrow and respect as are fitting to the occasion and the memory of the illustrious dead.

[L. s.] Given under my hand and privy seal at
Trenton, this first day of August, A. D. 1885.
LEON ABBETT,

Attest:

WILLARD C. FISK,
Private Secretary.

Governor.

PROCLAMATION BY THE GOVERNOR.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT. }

WHEREAS, EZRA MILLER, who at a general election held on the first Tuesday after the first Monday in November, in the year eighteen hundred and eighty-three, was duly declared to have been elected a member of the senate of the state from the county of Bergen, and subsequently thereto duly qualified as such senator, died on the ninth day of July, in the year one thousand eight hundred and eighty-five, whereby a vacancy has occurred in the representation of said county of Bergen in said state senate.

Therefore, I, LEON ABBETT, governor of the state of New Jersey, by the requirement of law do hereby issue this my proclamation commanding and requiring that an

election be held according to law in said county of Bergen, on Tuesday, the third day of November next ensuing the date hereof, for the purpose of electing a member of the senate of this state to fill the said vacancy occasioned by the death of said Ezra Miller.

[L. s.] Given under my hand and the great seal of the state of New Jersey, at Trenton, the sixth day of October, in the year of our Lord one thousand eight hundred and eighty-five, and of the Independence of the United States the one hundred and tenth.

LEON ABBETT.

By the Governor,

Attest:

HENRY C. KELSEY,
Secretary of State.

PROCLAMATION BY THE GOVERNOR.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT. }

GENERAL GEORGE B. McCLELLAN died at his residence on Orange Mountain, New Jersey, on the morning of the twenty-ninth day of October.

The pure and illustrious life of General McClellan, his distinguished military and civil career, is part of the history of the nation. The great soldier who organized the Army of the Potomac, with it achieved the magnificent victory of Antietam, and made possible all its future glories, will ever live in the grateful remembrance of a brave people. In him the greatest military genius was combined with a gentle and loving character that made him at once the idol of his men and beloved by all with whom he came in contact. His life was guided by the loftiest aspirations of a pure patriotism and a noble christian manhood.

The people of New Jersey are specially indebted to him for his able administration as governor of the state,

and wish to do every honor to his memory that their heartfelt sorrow can suggest.

In the name of the state and on behalf of its citizens, I desire to honor the dead by an appropriate military escort, and have ordered that such action shall be taken as may meet the wishes of his bereaved family. I have also conveyed to them, by letter, the deep sorrow and sympathy of the executive and the people of the State.

I deem it proper to set apart the day of the funeral for services in honor of the deceased.

Therefore, I, LEON ABBETT, governor of the state of New Jersey, do hereby direct that all the public buildings be draped in mourning, the flags placed at half mast, the officers of the national guard wear the usual badge of mourning for six months, and all regimental and battalion colors be draped for the same period, and that on the day of the funeral a proper salute be fired, and that all public offices be closed.

I also earnestly request our citizens to desist from all worldly employments, and devote the day to appropriate religious services and such demonstrations of sorrow and respect as are fitting to the occasion and memory of the illustrious dead.

Given under my hand and privy seal at
[L. S.] Trenton, this twenty-ninth day of October,
A. D. one thousand eight hundred and eighty-five.

Attest:

LEON ABBETT.

WILLARD C. FISK,
Private Secretary.

PROCLAMATION BY THE GOVERNOR.

In accordance with established custom the executive of the state each year sets apart a day of thanksgiving and prayer, so that the people may rest from their labors, and assembling in their homes and places of religious worship, acknowledge and return thanks to Almighty God

for His goodness and mercy, and pray that He will continue to bless them with abundance and prosperity.

Therefore, I, LEON ABBETT, governor of the state of New Jersey, do hereby designate Thursday, the twenty-sixth day of November, instant, as a day of public thanksgiving and prayer, and recommend that the people of this state on that day abstain from all secular avocations, assemble in their usual places of worship and give thanks to God for His infinite mercy and goodness in the past and invoke for the future His blessing upon the nation, the state and the homes of our people.

[L. S.] Given under my hand and privy seal at the executive chamber, in the city of Trenton, this ninth day of November, in the year of our Lord one thousand eight hundred and eighty-five.

LEON ABBETT.

Attest:

WILLARD C. FISK,
Private Secretary.

PROCLAMATION BY THE GOVERNOR.

The Vice-President of the United States, THOMAS A. HENDRICKS, died suddenly at his residence in Indiana during the afternoon of November twenty-fifth.

No citizen has been more prominently before the people of his state and of the entire country. He was a statesman of pronounced and positive convictions and of great ability. His official and personal life was pure, and his courteous manner won the good will of all his associates and friends.

Immediately upon receiving news of his decease I telegraphed a letter of condolence to his bereaved wife, and directed that the flags upon the public buildings be placed at half mast, and the usual badge of mourning be displayed thereon.

The people have lost a true friend, and the country one of its brightest intellects. We mourn his loss, and desire to testify our respect to his memory.

Now, therefore, I, LEON ABBETT, governor of the state of New Jersey, do hereby direct, in honor to the memory of the distinguished dead, that until after the day of the funeral the flags upon the capitol and all public buildings be placed at half mast and the usual badge of mourning be displayed thereon, and that upon the day designated for the obsequies all the public offices be closed, and I do recommend that on that day the people of the state give such expression to the general grief as may be appropriate.

Given under my hand and privy seal at the executive chamber, in the city of Trenton, this
[L. S.] twenty-seventh day of November, in the year of our Lord one thousand eight hundred and eighty-five.

LEON ABBETT.

Attest :

WILLARD C. FISK,
Private Secretary.

PROCLAMATION BY THE GOVERNOR.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT. }

The legislature of this state adopted, and on the twenty-first day of February, eighteen hundred and eighty-four, I approved the following joint resolution :

“Joint resolution relative to the planting of forest trees.

“1. BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey*, That the governor be and he is hereby authorized to issue a proclamation annually setting apart a day in April for the planting of forest trees, and recommending that the day be devoted by the people to that purpose.

"2. *And be it resolved*, That this resolution take effect immediately."

Now, therefore, pursuant to the foregoing resolution, I do hereby set apart Friday, April thirtieth, eighteen hundred and eighty-six, for the planting of forest trees, and recommend that the day be devoted by the people to that purpose.

[L. s.] In testimony whereof I have hereunto set my hand, and caused the great seal of the state to be hereunto affixed, at Trenton, this thirtieth day of March, eighteen hundred and eighty-six.

LEON ABBETT.

By the Governor,
HENRY C. KELSEY,
Secretary of State.

PROCLAMATION BY THE GOVERNOR.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT. }

By the authority conferred on me by Joint Resolution No. 1, passed by the legislature of this state, approved March 10, 1880, entitled "Joint resolution in reference to pension claims of New Jersey volunteers," I desire to announce to all concerned that the congress of the United States, by bill approved March 19, 1886, has increased the rate of pension for widows and dependent relatives of soldiers and sailors of the late war from eight to twelve dollars per month, and that the increased allowance will be paid on the vouchers of June 4, 1886, without any application therefor on the part of pensioners.

An amendment to the pension law is now pending and will probably pass increasing the rate of pension per month to minor children from two to four dollars. I presume the same mode of payment will be followed.

A bill is also pending in congress granting a service pension to the soldiers of the Mexican war. It will probably pass.

New Jersey State Library

Any person entitled to increased pay or pension, under the above or any other acts, can obtain advice or assistance by addressing the governor, at Trenton, in which case the adjutant-general will have the matter specially attended to at Washington without expense to the applicant.

[L. S.] In testimony whereof I have set my hand,
and caused the great seal of the state to be
hereunto affixed, at Trenton, this thirteenth
day of April, A. D. eighteen hundred and
eighty-six.

LEON ABBETT.

By the Governor,
HENRY C. KELSEY,
Secretary of State.

Special Public Acts.

SPECIAL PUBLIC ACTS

PASSED BY THE

One Hundred and Tenth Legislature

CHAPTER IV.

An Act to authorize the building of a bridge over and across Raccoon creek, in the county of Gloucester.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for the board of chosen freeholders of the county of Gloucester to build and construct, or cause to be built and constructed, or to authorize any person or association of persons to build and construct a bridge across or over Raccoon creek, in said county, at the north end of a public road which leads from Swedesboro to the creek, and at the south end of the public road laid out from the creek to the Bridgeport road, and to place in said bridge a swing or draw of at least thirty feet in width, of such construction as to impede as little as possible the navigation of said creek.

Board of freeholders authorized to construct bridge.

2. *And be it enacted*, That this act shall take effect immediately.

Approved February 2, 1886.

(433)

CHAPTER XIII.

An Act to repeal the seventh section of an act entitled "A supplement to an act entitled 'An act to revise and amend the charter of the city of Elizabeth,'" approved March fourth, anno domini one thousand eight hundred and sixty-three, and the several supplements thereto, which supplement was approved March seventeenth, one thousand eight hundred and seventy-five.

Section
repealed.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the seventh section of the said supplement, approved March seventeenth, one thousand eight hundred and seventy-five, which reads as follows, to wit:

"7. *And be it enacted*, That the members of the city council of said city of Elizabeth shall each receive an annual salary of five hundred dollars, to be paid in the same manner as the salaries of other officers of said city are paid," be and the same is hereby repealed.

2. *And be it enacted*, That this act shall take effect immediately.

Passed February 15, 1886.

CHAPTER XXXIV.

A Further Supplement to the act entitled "An act for the relief of school districts numbers twelve, thirteen, seventeen and eighteen, in the township of Morris, in the county of Morris," approved March sixteenth, one thousand eight hundred and fifty-four, and the several supplements thereto.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That "The Board of Education of Morristown" be and it is hereby authorized to purchase and hold in its corporate name a suitable lot of land, within the limits of the "Morris School District," and to erect thereon a new building for public school purposes in said district, with the necessary fences, out-houses and conveniences, and to provide such new building with proper furniture, apparatus, appliances and fixtures; and to defray the costs and expenses thereof, the said The Board of Education of Morristown is hereby authorized to borrow such sum or sums of money as may be necessary, not exceeding sixteen thousand dollars in the aggregate, and to issue bonds in the corporate name of said The Board of Education of Morristown, signed and attested by its president and secretary, for the payment of the moneys so borrowed, with interest, as hereinafter provided.

Board of education
authorized to
issue bonds
and erect
school building.

2. *And be it enacted*, That the bonds to be issued as aforesaid, shall not exceed in the aggregate sixteen thousand dollars of principal, and shall be of such denominations not exceeding in any case two thousand dollars, as said The Board of Education of Morristown may deem proper, and shall bear interest at a rate not exceeding four per centum per annum, payable yearly, or half yearly, as said The Board of Education of Morristown may determine; and the sum of two thousand dollars of

Amount of
bonds to be
issued.

the principal of said bonds (and no more) shall be made payable in each and every year after the date of issue thereof; and said bonds shall not be sold or disposed of by said The Board of Education of Morristown for less than their par value.

Principal and interest of bonds to be raised by taxation.

3. *And be it enacted*, That to provide for the said yearly payment of two thousand dollars of principal of the said bonds, and of all interest accruing upon the same, it shall be the duty of the school commissioners and of The Board of Education of Morristown, and they are hereby required, at their annual joint meeting on the second Tuesday of June next, and in each year thereafter and until the payment of all bonds issued in pursuance of this act and the interest thereon shall have been provided for, in addition to the duties now required of them by law, to ascertain, order and direct what amount of money shall be raised in each year by tax for that purpose; and the said The Board of Education of Morristown are hereby empowered to raise by tax such sum or sums of money as may be necessary for the purpose aforesaid, and shall make out a certificate thereof, signed by its president and secretary, under oath or affirmation, that the same is true and correct, and deliver the same to the assessor or assessors of the township or townships in which said school district is situate, which said assessor or assessors shall assess on the inhabitants of said school district and on all lands liable to be taxed therein, in the same manner as township taxes are assessed, and such sum or sums of money as shall have been ordered to be raised for the purpose aforesaid; and the collector or collectors of said township or townships in which said school district is situated shall pay over the same when collected to the treasurer of said The Board of Education of Morristown, to be by said The Board of Education of Morristown applied and expended only in payment of said bonds and the interest thereon, according to the true intent and meaning of this act.

Duties of assessor and collector.

Board authorized to expend surplus fund or money on hand.

4. *And be it enacted*, That it shall and may be lawful for said The Board of Education of Morristown to expend and disburse, for any educational purpose or purposes whatsoever that it may deem fit and proper, the whole or any part or parts of any surplus fund or funds,

money or moneys, that it may have accumulated or in any way acquired and now has in hand, or which it may at any time hereafter accumulate or in any way acquire and have on hand.

5. *And be it enacted,* That section nine of the act entitled "Supplement to an act entitled 'An act for the relief of school districts numbers twelve, thirteen, seventeen and eighteen, in the township of Morris, in the county of Morris,'" approved March sixteenth, one thousand eight hundred and fifty-four, and the several supplements thereto, which said supplemental act was approved March third, one thousand eight hundred and seventy, and which said section nine is in the words following, to wit:

Section of act
to be repealed.

"9. *And be it enacted,* That there shall be provided and kept a public school or schools for the education of colored children, residents within said district, subject, in all things, to the control of the said board of education, as the schools hereinbefore provided for, are subject," be and the same is hereby repealed.

Section
Repealed.

6. *And be it enacted,* That full power and authority is hereby given and conferred upon said The Board of Education of Morristown to sell and convey any and all lands and real estate by it owned and situate on Spring street, in Morristown, and the proceeds of such sale or sales shall be used by said The Board of Education of Morristown for school purposes, as it may deem fit and proper.

Board author-
ized to sell and
convey certain
real estate.

7. *And be it enacted,* That all acts or parts of acts repugnant to or inconsistent herewith, be and the same are hereby repealed.

Repealer.

8. *And be it enacted,* That this act shall take effect immediately.

Passed February 23, 1886.

CHAPTER CXXII.

An Act to fix the time for shooting hare or rabbit in the county of Atlantic.

When lawful to
shoot hare or
rabbit in
Atlantic
county.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful to shoot hare, commonly called rabbit, in the county of Atlantic, during the months of November, December and January.
Approved April 5, 1886.

CHAPTER CCXXXV.

A Supplement to an act to facilitate judicial proceedings in the county of Somerset, passed March twenty-fourth, one thousand eight hundred and eighty-five.

Section
amended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section nine of "An act to facilitate judicial proceedings in the county of Somerset," passed March twenty-fourth, anno domini one thousand eight hundred and eighty-five, be amended to read as follows:

Salary of law
judge.

[9. *And be it enacted*, That the law judge provided for by this act shall receive a salary of fifteen hundred dollars per annum, payable in monthly payments by the collector of said county, but shall receive no other compensation whatever.]

2. *And be it enacted*, That this act shall take effect immediately.

Passed May 4, 1886.

Private Acts.

PRIVATE ACTS

PASSED BY THE

One Hundred and Tenth Legislature

CHAPTER VIII.

An Act to confirm a certain deed of conveyance.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the deed of conveyance to Mittie Gardner, dated the nineteenth day of January, anno domini one thousand eight hundred and eighty-four, and of record in the clerk's office of Atlantic county at May's Landing, New Jersey, in book number ninety-six (96) of deeds, page three hundred and seventy-one (371), be and is hereby confirmed, and the title to the lands therein described shall be held to be fully vested in fee-simple in the grantee therein named.

Deed of conveyance confirmed and title to lands vested in granted.

2. *And be it enacted*, That this act shall take effect immediately.

Passed February 9, 1886.

CHAPTER IX.

An Act to authorize the Minard Home of Morristown to sell and convey its real estate in Morristown to the heirs-at-law of Abel Minard, deceased, or others.

WHEREAS, The Minard Home of Morristown holds certain real estate in Morristown under the deeds of

Preamble.

Abel Minard, deceased, to Edmund S. Janes, and Edmund S. Janes to "The Minard Home of Morristown," a corporation of the state of New Jersey, in trust for the establishment and maintenance of a home for orphans; *and whereas*, said trust has been found impracticable by reason of want of funds and of certain restrictions in the character of the trust; *and whereas*, considerable indebtedness has been incurred by the said corporation in its endeavors to carry on such trust; *and whereas*, it is the desire of all parties interested that said trust should now be wound up and the property conveyed to the heirs-at-law of said Abel Minard, deceased, or to other persons, and the just debts of the said corporation paid out of the proceeds of said sale; *and whereas*, the said heirs-at-law, or some of them, have agreed to purchase said property of the said corporation and to take a conveyance thereof, and to pay therefor a sum sufficient to satisfy all of said indebtedness.

Corporation
authorized to
sell and convey
real estate, &c.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said corporation, "The Minard Home of Morristown," is hereby authorized to sell and convey its real estate in Morristown to the heirs-at-law of Abel Minard, deceased, or to any other person, at public or private sale and on any terms it may deem most for the interest of all parties, and out of the proceeds to pay all debts incurred by it in and about the said trust.

2. *And be it enacted*, That this act shall take effect immediately.

Approved February 9, 1886.

CHAPTER LXVIII.

An Act to confirm the conveyances of real estate made by "The Ocean County Mutual Building and Loan Association," and making all its contracts, agreements, conveyances and sales, and all its acts valid.

WHEREAS, The certificate of incorporation of "The Ocean County Mutual Building and Loan Association" has not been filed and recorded in the office of the clerk of the county of Ocean (the county in which said association was located), as provided for and required by an act of the legislature entitled "An act to encourage the establishment of mutual loan, homestead and building associations," although the minutes of said association show that the certificate of incorporation of said association was delivered to the clerk of said county on the first day of December, anno domini one thousand eight hundred and sixty-nine; and whereas, certain contracts, agreements and conveyances of real estate have been made by said association, and certain sales of lands by virtue of foreclosure proceedings, instituted by said association, have been made, whereby the titles to certain lands are alleged to be defective and uncertain;

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That no sale or conveyance of land and real estate heretofore made shall be invalidated by reason of said certificate of incorporation not being filed and recorded in the said Ocean county clerk's office according to the provisions of said act, and that all conveyances heretofore made by said association, and all sales of land and real estate made by virtue of foreclosure proceedings instituted by said association, are hereby made as valid and effectual as if the requirements of said act had been complied with by filing and recording

Preamble.

Conveyances
and sales of
land declared
valid.

the certificate of incorporation of said association in the Ocean county clerk's office.

Contracts and
agreements
held valid, &c.

2. *And be it enacted*, That all the contracts and agreements made and entered into by said association, and all its acts, shall be as binding, valid and effectual in law as if said act had been complied with by filing and recording the certificate of incorporation in the Ocean county clerk's office.

3. *And be it enacted*, That this act shall take effect immediately.

Passed March 16, 1886.

CHAPTER CLXII.

An Act granting the consent of the legislature to the leasing of the railroad and franchises of the New Jersey Junction Railroad Company to the New York Central and Hudson River Railroad Company.

Preamble.

WHEREAS, The New Jersey Junction Railroad Company has, under the provisions of an act entitled "An act respecting the leasing of railroads," approved May second, one thousand eight hundred and eighty-five, submitted to the legislature of this state a draft of the proposed lease of the said road and its franchises to the New York Central and Hudson River Railroad Company for its consideration, a copy of which proposed lease was filed in the office of the secretary of state, on the fifth day of April, one thousand eight hundred and eighty-six; now, therefore,

Consent given
to leasing of
road, and lease
approved.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*; That the said lease is hereby approved in accordance with the provisions of said act, entitled "An act respecting the leasing of railroads," approved May second, one thousand eight hundred and eighty-five, and the consent of the legislature of this state is hereby given to the leasing of the road and franchises

of the said New Jersey Junction Railroad Company to the New York Central and Hudson River Railroad Company, upon the terms set forth in said draft submitted and filed as stated in the preamble of this act.

2. *And be it enacted*, That nothing herein contained shall be construed as a waiver of the condition precedent provided for in the second section of said act, approved May second, one thousand eight hundred and eighty-five, requiring the filing, in the office of the secretary of state, of an agreement to be approved by the governor and attorney-general, surrendering to the state all rights of exemption from taxation and otherwise providing as set forth in said section.

Act not to be construed as a waiver of certain conditions precedent provided in act of May 2, 1885.

3. *And be it enacted*, That this act shall take effect immediately.

Approved April 12, 1886.

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STATE OF NEW JERSEY.

CENSUS OF 1885

WITH A RECAPITULATION OF THE

CENSUS OF 1875.

STATE OF NEW JERSEY, DEPARTMENT OF STATE, }
TRENTON, January 13th, 1886. }

TO THE LEGISLATURE:

In accordance with the "Act to provide for the census or enumeration of the inhabitants of this State," approved April 7th, 1885, I have the honor of submitting herewith a general account of the enumeration made under authority of said act, showing the result in the several towns, wards, cities and counties of the State, together with a recapitulation thereof.

For the purpose of comparisons I annex a recapitulation of the last census made by authority of the State, viz., that of 1875.

Very respectfully,

HENRY C. KELSEY,

Secretary of State.

Abstract of Census Returns for the County of ATLANTIC—1885.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.			AGE OF FEMALES BY CLASSES.				Total number of inhabitants.	
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Absecon.....	133	138	268	275	11	5	1	.....	.....	.....	4	3	28	76	137	41	29	81	145	30	567
Atlantic City.....	1725	1753	2949	3090	632	588	80	158	150	125	94	76	431	1011	2299	152	421	1085	2365	178	7942
Buena Vista Township.....	236	238	392	335	4	3	8	8	65	43	84	74	68	177	254	56	62	156	208	35	1016
Egg Harbor City.....	341	360	323	364	.....	.....	1	290	279	35	25	83	194	267	104	81	210	309	69	1317	
Egg Harbor Township.....	833	841	1966	1900	14	9	1	.....	2	2	15	10	181	680	1038	88	182	718	913	119	3919
Galloway Township (not including).....	253	258	555	493	4	2	.....	1	1	.....	.....	.....	57	174	269	57	61	136	255	47	1056
Brigantine City.....	14	14	50	29	.....	.....	.....	.....	.....	.....	.....	.....	6	23	19	2	2	11	14	2	79
Port Republic.....	104	106	231	242	.....	1	.....	.....	.....	.....	.....	.....	27	70	105	30	26	81	110	25	474
German Settlement.....	127	128	176	152	6	3	.....	.....	100	102	3	2	15	100	126	45	19	106	92	41	544
Total.....	498	506	1012	916	10	6	.....	1	101	102	3	2	105	367	519	134	108	334	471	115	2153
Hamilton Township.....	263	299	716	671	9	7	10	9	31	26	2	3	77	250	383	59	76	257	334	48	1484
Hammonton Township.....	488	513	992	970	14	8	16	19	44	35	272	155	176	373	689	99	130	323	630	105	2525
Mullica Township (not including).....	36	36	35	29	.....	.....	.....	.....	36	26	.....	.....	5	25	29	12	2	18	26	9	126
Columbia.....	20	22	59	46	.....	.....	.....	1	.....	.....	.....	.....	5	24	26	4	4	20	17	6	106
Pleasant Mills.....	27	27	61	41	.....	.....	.....	1	1	2	.....	.....	8	20	24	10	4	12	20	8	106
Elwood.....	97	97	198	168	3	1	.....	.....	6	4	11	12	20	74	96	28	17	63	88	17	403
Weekstown.....	12	12	27	28	.....	.....	.....	.....	5	6	.....	.....	4	13	14	1	4	14	13	3	66
Total.....	192	194	380	312	3	1	.....	2	48	38	11	12	42	156	189	55	31	127	164	43	807
Weymouth Township, including—																					
Tuckahoe.....	94	104	226	215	1	.....	.....	.....	.....	.....	.....	.....	23	68	105	30	25	60	106	25	442
Estelleville.....	41	41	97	83	.....	.....	1	1	1	1	.....	.....	13	36	44	6	15	27	33	10	184
Total.....	135	145	323	298	1	.....	1	1	1	1	.....	.....	36	104	149	36	40	87	139	35	626
Total in County.....	4844	4987	9321	9131	698	627	117	199	732	651	520	360	1227	3388	5924	824	1160	3378	5678	777	22356

CENSUS OF 1885.

Abstract of Census Returns for the County of BERGEN—1885.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of Inhabitants.
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Englewood Township.....	696	809	1421	1592	166	168	209	434	124	77	111	127	204	213	695	735	1032	1333	100	117	4429
Franklin Township.....	442	479	1001	979	9	7	5	4	29	22	75	63	134	348	535	99	120	363	509	86	2194
Harrington Township.....	505	546	985	1026	98	98	29	35	104	94	66	69	147	395	632	109	152	409	658	102	2604
Hohokus Township.....	565	681	1194	1250	136	135	19	29	18	20	54	43	148	429	701	140	170	423	740	147	2898
Lodi Township.....	745	760	1271	1223	97	111	88	69	584	463	253	188	298	768	1020	144	271	729	921	176	4347
Midland Township.....	317	334	588	648	60	69	13	17	84	42	50	46	75	248	387	71	109	241	405	81	1617
New Barbadoes Township, co-extensive with Hackensack.....	859	1016	1774	1957	69	116	77	159	304	250	157	120	281	757	1153	205	252	734	1362	239	4983
Palisades Township.....	414	449	877	934	64	63	93	129	67	38	33	35	115	376	558	86	143	377	585	93	2333
Ridgefield Township.....	922	932	1657	1708	27	36	143	201	280	201	130	104	243	671	1206	110	274	630	1266	87	4487
Ridgewood Township.....	331	400	717	773	54	60	11	28	4	2	63	64	111	281	395	63	108	293	455	70	1776
Saddle River Township (not including).....	225	233	473	400	21	15	24	27	53	42	75	45	57	210	321	56	66	155	269	41	1175
Garfield.....	76	78	136	130	.....	.....	13	14	8	4	56	48	34	82	86	8	38	66	93	2	409
Total.....	301	311	609	530	21	15	37	41	61	46	131	93	91	292	407	64	104	221	362	43	1584
Union Township, including—																					
Rutherford.....	472	526	836	873	49	46	145	144	122	101	155	108	144	435	674	51	181	422	628	44	2579
Borough of Rutherford.....	216	242	522	551	8	12	27	43	45	34	54	39	85	220	328	17	64	240	355	26	1335
Total.....	688	778	1358	1424	57	58	172	187	167	135	209	147	229	655	1002	68	245	662	983	70	3914
Washington Township.....	575	790	1150	1229	51	48	19	20	69	51	44	33	148	364	642	173	154	430	661	142	2714
Total in County.....	7360	8285	14602	15273	909	984	915	1353	1895	1441	1376	1132	2224	5797	9333	2067	3134	6845	9027	1453	39680

Abstract of Census Returns for the County of BURLINGTON—1885.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of Inhabitants.
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Bass River Township.....	188	194	482	406	1	.....	.....	.....	6	4	4	2	58	152	243	38	58	148	185	23	905
Beverly City.....	425	432	815	927	9	26	25	60	17	28	37	29	125	283	430	61	103	312	572	87	1973
Beverly Township (not including).....	185	193	425	432	3	9	24	43	12	7	8	11	37	149	254	30	51	141	275	37	974
Delanco.....	96	100	194	192	.....	.....	3	4	5	5	4	2	28	50	115	11	16	58	116	15	409
Total	281	293	619	624	3	9	27	47	17	12	12	13	65	199	369	41	67	199	391	52	1383
Bordentown Township (not including).....	121	122	285	262	10	16	22	16	11	7	.....	.....	43	121	152	21	33	92	152	24	638
City of Bordentown.....	974	974	1853	2192	107	123	151	198	29	24	6	.....	202	710	1044	190	205	787	1266	279	4683
Borough of Fieldsborough.....	116	116	246	247	1	.....	12	14	8	5	2	1	31	86	130	22	39	83	116	29	536
Total	1211	1212	2384	2701	127	139	185	228	48	36	8	1	276	917	1326	233	277	962	1534	332	5857
Burlington Township (not including).....	198	199	450	448	24	29	25	20	7	1	14	10	44	164	288	32	69	164	241	35	1037
Burlington City, First Ward.....	742	753	1549	1697	54	90	41	94	13	7	20	22	197	463	882	138	148	524	1018	217	3587
" Second Ward.....	643	661	1151	1248	217	206	75	90	18	7	39	15	167	471	765	106	165	415	833	154	3066
Total	1583	1613	3159	3393	295	325	141	204	38	15	73	47	408	1098	1925	276	382	1103	2092	406	7690
Chester Township.....	466	577	1215	1370	97	115	94	108	31	17	15	9	145	463	708	141	130	489	834	161	3071
Chesterfield Township.....	392	315	602	692	45	40	26	23	12	5	4	4	66	188	362	73	72	263	342	87	1453
Cinnaminson Township.....	448	504	1078	1101	55	87	53	59	61	38	39	29	159	338	721	103	181	336	696	106	2640
Delran Township.....	386	433	810	828	14	12	7	4	113	120	12	12	112	305	454	94	118	293	461	95	1932
Easthampton Township.....	119	121	332	274	1	.....	8	3	10	7	15	5	48	110	192	17	41	87	143	17	655

CENSUS OF 1885.

Abstract of Census Returns for the County of BURLINGTON—1885—Continued.

8

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of inhabitants.
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Evesham Township (not including).....	236	240	510	473	61	71	15	19	31	25	8	4	55	226	302	52	67	191	286	38	1217
Village of Marlton.....	92	92	154	176	.....	2	1	1	5	.....	.....	.....	21	35	77	24	16	43	101	22	339
Total	328	332	664	649	61	73	16	20	36	25	8	4	76	261	379	76	83	234	387	60	1556
Florence Township (not including).....	106	111	280	260	1	2	11	9	2	.....	3	3	26	101	155	21	36	93	112	27	571
Town of Florence.....	220	221	465	414	1	.....	49	45	7	7	13	10	83	171	241	38	81	149	221	27	1011
Total	326	332	745	674	2	2	60	54	9	7	16	13	109	272	396	59	117	242	333	54	1582
Little Egg Harbor Township (Tuckerton)	354	404	966	889	9	10	3	4	2	1	1	.....	114	324	472	72	114	280	444	65	1885
Lumberton Township.....	327	357	768	787	18	16	20	27	40	35	12	12	102	268	388	89	106	282	403	97	1735
Mansfield Township (not including).....	136	141	295	289	39	29	8	4	10	4	2	1	38	113	181	22	40	113	152	22	681
Columbus.....	231	242	476	497	2	7	10	16	11	6	5	4	63	135	254	51	48	147	280	56	1034
Total	367	383	771	786	41	36	18	20	21	10	7	5	101	248	435	73	88	260	432	78	1715
Medford Township (not including).....	216	220	517	485	18	25	6	8	10	1	2	.....	63	184	267	39	61	154	261	43	1072
Medford.....	245	246	429	536	6	11	1	4	3	1	1	.....	51	129	202	60	39	148	281	82	992
Total	461	466	946	1021	24	36	7	12	13	2	3	.....	114	313	469	99	100	302	542	125	2064
Mount Laurel Township.....	338	350	719	663	110	111	66	62	21	7	13	9	91	323	440	72	121	266	406	62	1781
New Hanover Township.....	470	489	1061	998	71	48	14	15	13	15	.....	.....	120	410	521	110	116	360	493	105	2235
Northampton Township, co-extensive with Mount Holly.....	1101	1111	1983	2430	148	175	52	90	29	18	54	27	214	653	1186	213	206	785	1447	302	5006

CENSUS OF 1885.

Abstract of Census Returns for the County of BURLINGTON—1885—Continued.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of Inhabitants.
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Pemberton Township (not including).....	361	375	1000	928	30	25	38	38	11	10	15	5	123	311	524	134	113	328	474	93	2100
Borough of Pemberton.....	185	189	388	435	1	4	3	3		2	2	4	41	125	200	31	36	141	213	57	844
Total.....	546	564	1388	1363	31	29	41	41	13	12	17	9	164	436	724	165	149	469	687	150	2944
Randolph Township.....	85	89	195	167		2			1				34	55	83	24	18	49	82	20	365
Shamong Township.....	212	217	462	434	9	7	5	2	5	1	5	3	50	152	218	44	45	165	200	39	933
Southampton Township (not including).....	313	324	745	690	4	4	10	14	12	4	2	1	82	240	388	66	75	255	331	49	1486
Vincentown.....	170	187	362	388	2	2	3	5	6	4	2	3	37	108	132	47	38	126	193	45	777
Total.....	483	511	1107	1078	6	6	13	19	18	8	4	4	119	348	570	113	113	381	524	95	2263
Springfield Township.....	344	360	923	860	11	8	19	18	16	8	14	7	122	288	509	66	104	263	449	83	1884
Washington Township.....	74	76	164	156	2	4				3			21	46	85	14	25	56	71	15	333
Weathampton Township.....	144	148	291	284	53	49	2	1	4	2			38	104	175	32	44	94	167	34	688
Willingboro Township.....	142	149	356	337	2	1	4	3	11	4	5	2	49	114	185	33	38	101	172	33	725
Woodland Township.....	68	68	157	134	2		1	2				7	24	40	88	15	20	56	56	6	305
Total in County.....	11579	12100	25162	26166	1287	1366	907	1126	609	440	386	249	3124	8708	14073	2446	3036	8837	14545	2789	57558

Abstract of Census Returns for the County of CAMDEN—1885.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.			AGE OF FEMALES BY CLASSES.			Total number of Inhabitants.		
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.		Twenty to sixty.	Over sixty.
Camden City—																					
First Ward.....	1383	1402	2959	3203	26	85	108	180	120	118	131	101	378	948	1837	171	303	1029	2160	205	7031
Second Ward.....	1557	1574	3367	3807	26	116	114	185	116	97	98	81	236	1290	2130	80	219	1533	2390	129	8007
Third Ward.....	941	1006	2202	2293	28	42	57	56	46	39	19	18	201	767	1271	105	195	849	1274	138	4800
Fourth Ward.....	1962	1987	4191	4456	3	52	165	192	106	111	102	86	478	1341	2526	216	436	1452	2727	288	9464
Fifth Ward.....	1360	1443	2831	2838	289	354	74	79	109	95	121	76	277	1302	1769	64	287	1300	1738	129	6866
Sixth Ward.....	881	910	1704	1919	66	82	35	36	119	103	73	61	252	579	1074	90	268	682	1100	153	4198
Seventh Ward.....	1174	1246	1922	1997	551	591	115	127	197	155	94	56	394	926	1452	107	403	925	1458	140	5805
Eighth Ward.....	1266	1284	1719	1716	1337	1430	123	128	76	78	59	47	583	1082	1421	216	555	1141	1355	360	6713
Total	10524	10852	20895	22229	2326	2752	791	983	889	796	697	526	2799	8235	13480	1049	2666	8911	14202	1542	52884
Centre Township.....	334	348	431	424	395	391	22	21	15	5	15	4	100	256	439	73	107	280	397	71	1723
Delaware Township.....	293	305	663	581	89	44	54	40	49	15	22	15	73	275	476	53	56	214	369	56	1572
Gloucester City—																					
First Ward.....	474	482	1102	1109	.....	.....	135	176	3	3	58	54	171	427	657	37	137	414	726	51	2640
Second Ward.....	663	665	1359	1409	.....	2	132	189	38	39	85	73	196	551	805	61	209	536	888	80	3326
Total	1137	1147	2461	2518	.....	2	267	365	41	42	143	127	367	978	1462	98	366	950	1614	131	5966
Gloucester Township.....	491	500	1072	1083	105	105	41	47	29	10	30	20	150	359	642	127	154	354	624	132	2542
Haddon Township (not including).....	237	245	515	432	144	113	35	24	10	9	23	15	90	235	352	50	83	172	305	33	1320
Borough of Haddonfield.....	402	404	772	952	42	70	11	32	11	14	25	21	107	240	442	72	104	279	597	109	1950
Total	639	649	1287	1384	186	183	46	56	21	23	48	36	197	475	794	122	187	451	902	142	3270

Abstract of Census Returns for the County of CAMDEN—1885—Continued.

	Dwelling houses.		NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.			AGE OF FEMALES BY CLASSES.			Total number of Inhabitants.		
	Families.		White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.		Twenty to sixty.	Over sixty.
Merchantville, Borough of.....	131	131	313	358	15	20	4	3	9	5	7	7	38	98	195	19	41	120	209	21	741
Stockton Township.....	649	660	1323	1195	418	401	14	13	100	88	84	73	226	627	993	93	236	575	869	90	3709
Waterford Township—																					
Atco.....	76	78	141	133	.....	1	2	1	7	9	6	3	24	40	71	21	21	36	63	27	303
Atsion.....	26	26	46	44	3	2	.....	.....	10	10	.....	.....	10	14	27	8	10	19	21	6	115
Berlin.....	139	152	327	313	13	6	2	2	5	3	3	2	49	93	167	38	42	96	152	39	676
Gibbsboro.....	23	27	62	53	.....	.....	8	7	9	4	1	1	12	27	33	7	15	19	27	5	145
Glendale.....	39	45	104	90	3	.....	3	3	5	2	.....	.....	10	40	56	9	15	29	41	10	210
Jackson.....	27	35	55	61	3	2	4	4	3	1	2	1	11	20	31	4	13	23	30	4	136
Kirkwood.....	27	30	79	64	1	.....	1	.....	1	1	2	2	12	28	35	8	5	31	28	4	151
Milford.....	32	34	63	50	13	13	2	1	7	8	1	1	7	24	43	11	8	28	29	9	159
Waterford.....	42	43	96	91	.....	.....	2	3	3	3	3	2	17	33	47	7	9	37	44	9	203
Total.....	431	470	973	899	36	24	24	21	50	41	18	12	152	319	510	113	138	318	435	113	2098
Winslow Township—																					
Bates' Mills.....	25	25	46	51	.....	.....	2	4	11	6	.....	.....	12	11	32	5	9	24	23	4	120
Blue Anchor.....	42	42	87	78	1	.....	1	3	1	.....	2	2	11	26	44	11	12	18	45	8	175
Brooklyn.....	21	21	60	40	.....	.....	.....	.....	.....	.....	.....	.....	7	23	25	4	5	14	19	3	100
Cedar Brook.....	15	15	25	34	1	.....	.....	.....	.....	.....	.....	.....	7	4	11	4	5	12	13	4	60
Elm.....	52	52	108	96	.....	.....	2	7	3	.....	3	2	9	36	54	18	11	33	48	12	221
Sicklerville.....	67	67	153	121	5	5	4	5	2	1	3	2	22	55	76	12	19	40	69	6	299
Waterford.....	26	26	49	44	1	1	.....	.....	1	1	2	2	8	11	28	6	6	15	24	3	101
Wilton.....	108	108	243	218	5	3	.....	.....	6	5	.....	.....	29	101	110	14	37	78	94	17	480
Winslow.....	129	129	311	282	.....	.....	3	2	11	13	1	1	36	127	142	21	43	100	137	18	624
Total.....	485	485	1082	964	13	9	12	21	35	26	10	8	141	304	522	95	147	334	472	75	2180
Total in County.....	15114	15547	30500	31635	3583	3931	1275	1570	1238	1051	1074	828	4243	12016	19513	1842	4098	12507	20093	2373	76685

Abstract of Census Returns for the County of CAPE MAY—1885.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.			AGE OF FEMALES BY CLASSES.				Total number of Inhabitants.	
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Cape May City.....	326	407	657	669	93	99	19	29	11	10	18	5	92	236	402	58	88	233	445	56	1610
Cape May Point, Borough of.....	39	39	65	60	36	34	1	2			1	1	14	33	48	3	20	30	48	4	200
Dennis Township—																					
East Creek.....	22	24	63	46				2					9	18	30	6	5	13	23	7	111
North Dennis.....	114	118	263	222				2					29	80	134	21	25	56	116	26	487
Ocean View.....	45	45	99	88				1					8	33	46	14	11	25	43	11	191
South Dennis.....	73	78	140	154	1		4	4	1		2	2	15	34	77	22	14	49	77	20	308
South Seaville.....	118	124	248	241			2	1	3		2	1	20	85	125	25	23	81	118	21	498
West Creek.....	36	38	83	90				1			1		6	32	36	10	16	24	41	10	175
Total.....	408	427	896	841	1		6	11	4		7	4	87	282	448	98	94	248	418	95	1770
Holly Beach, Borough of.....	27	28	92	86	7	5	6	5	1		4	4	10	15	78	8	9	30	54	6	210
Lower Township.....	271	282	574	494	54	68	3	5	3	2	3	2	80	184	309	58	66	273	180	58	1208
Middle Township.....	407	423	1238	1237	47	40	9	2	8	4	12	8	135	391	627	161	139	394	621	137	2605
Ocean City, Borough of.....	101	101	230	228	2	1					4		29	64	126	17	29	85	102	13	465
Sea Isle City, Borough of.....	108	124	245	232	3	6	8	13	9	4	25	13	18	83	172	10	25	96	147	7	558
Upper Township.....	371	381	730	765		1		1	3				73	222	356	82	74	216	383	94	1500
West Cape May, Borough of.....	128	136	266	251	42	62	4	3					38	107	156	13	36	92	166	10	618
Total in County.....	2186	2348	4993	4863	285	306	56	71	39	20	74	37	576	1617	2722	508	580	1697	2564	480	10744

Abstract of Census Returns for the County of CUMBERLAND—1885.

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	Dwelling houses.		NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of Inhabitants.
	Families.		White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Bridgeton City—																					
First Ward.....	998	1112	2134	2296	82	98	14	21	54	39	52	40	258	719	1208	151	262	713	1334	185	4830
Second Ward.....	522	568	1180	1116	106	104	.....	1	31	33	17	13	157	453	657	66	162	411	622	73	2601
Third Ward.....	573	593	1142	1227	80	81	5	16	38	40	5	.....	145	378	652	93	129	393	728	116	2634
Total	2093	2273	4456	4639	268	283	19	38	123	112	74	53	560	1550	2517	310	553	1517	2684	374	10065
Commercial Township, including—																					
Mauricetown.....	122	127	275	274	2	2	.....	.....	1	.....	.....	.....	33	89	147	12	15	70	166	22	554
Buckshutem.....	41	44	114	101	.....	.....	.....	.....	.....	.....	.....	.....	14	42	51	10	12	28	48	11	216
Haleyville.....	77	84	217	181	12	11	.....	.....	2	1	.....	.....	27	88	106	15	21	63	81	23	424
North Port Norris.....	56	69	174	145	.....	.....	.....	.....	.....	.....	.....	.....	22	74	69	12	20	55	60	7	319
Port Norris.....	192	207	520	504	4	1	1	.....	.....	.....	1	.....	80	163	251	30	86	178	225	18	1031
Total	488	531	1300	1205	18	14	1	.....	3	1	2	.....	176	456	624	79	154	394	580	81	2544
Deerfield Township.....	368	381	781	766	13	8	2	2	17	10	19	14	87	290	378	77	98	257	389	56	1632
Downe Township.....	381	423	979	872	2	.....	2	2	1	.....	2	.....	125	316	470	75	100	318	391	65	1860
Fairfield Township.....	331	360	577	554	237	227	5	3	4	3	2	.....	116	249	398	64	110	266	360	49	1612
Greenwich Township, (not including).....	148	148	238	224	166	151	2	1	9	5	3	1	49	153	183	33	46	125	186	25	800
Village of Greenwich.....	115	127	210	226	16	13	.....	2	.....	.....	.....	.....	22	56	118	30	22	57	124	38	467
Total	263	275	448	450	182	164	2	3	9	5	3	1	71	209	301	63	68	182	310	63	1267
Hopewell Township.....	352	386	823	761	72	73	5	10	28	17	4	1	102	305	426	97	118	234	432	80	1794

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Abstract of Census Returns for the County of CUMBERLAND—1885—Continued.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of Inhabitants.
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Landis Township (not including).....	879	904	1409	1587	46	42	55	49	59	52	276	216	178	631	851	246	188	628	917	212	3851
Borough of Vineland.....	684	805	1208	1419	108	102	16	26	15	16	121	139	165	427	710	166	159	462	907	174	7021
Total	1563	1709	2677	3006	154	144	71	75	74	68	397	355	343	1058	1561	412	347	1090	1824	386	
Lawrence Township.....	393	419	881	820	2	1	1	.....	10	6	7	.....	104	269	437	91	99	242	404	82	1728
Maurice River Township, including—																					
Ewing's Neck.....	64	66	172	144	.....	.....	.....	.....	.....	.....	2	2	18	63	79	14	16	54	58	19	321
Belleplain.....	41	41	100	64	.....	.....	.....	.....	.....	.....	.....	.....	12	34	46	8	12	18	31	3	164
Heislerville.....	85	87	215	199	.....	.....	.....	.....	.....	.....	.....	.....	32	68	102	13	18	78	89	14	414
Manumuskim.....	47	50	106	94	.....	.....	.....	.....	.....	.....	.....	.....	17	26	54	9	18	24	43	9	200
Port Elizabeth.....	121	124	254	239	15	12	1	.....	1	1	.....	.....	35	83	125	28	17	84	118	33	523
Bricksboro.....	28	29	58	65	.....	.....	.....	.....	.....	.....	.....	.....	11	9	27	11	7	23	28	7	123
Dorchester.....	68	71	145	159	.....	.....	.....	.....	.....	.....	1	.....	17	38	73	18	12	60	74	13	305
Leesburg.....	101	109	277	235	.....	.....	.....	.....	.....	.....	.....	.....	39	96	133	9	35	78	110	12	512
Total	555	577	1327	1199	15	12	1	.....	1	1	3	3	181	417	639	110	135	419	551	110	2562
City of Millville—																					
First Ward.....	569	589	1369	1232	46	52	12	13	17	14	32	18	172	557	674	75	189	438	663	67	2805
Second Ward.....	687	707	1612	1522	10	10	8	9	28	14	19	18	192	580	819	85	188	465	815	106	3250
Third Ward.....	548	570	1252	1247	8	7	43	50	58	43	35	26	208	486	648	64	191	490	646	46	2769
Total	1804	1866	4233	4001	64	69	63	72	103	71	86	62	572	1623	2141	214	568	1393	2004	219	8824
Stow Creek Township.....	225	231	523	494	23	14	2	2	10	5	.....	.....	64	193	240	61	60	151	257	47	1073
Total in County.....	8816	9431	19005	18767	1050	1009	174	207	383	299	599	489	2501	6935	10132	1653	2410	6463	10276	1612	41982

Abstract of Census Returns for the County of ESSEX—1885.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of Inhabitants.
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Belleville Twp., including — Town of Belleville.....	312 587	375 353	618 592	625 518	22 23	25 24	137 68	172 89	43 24	29 13	72 58	75 58	147 98	262 216	411 358	69 73	143 85	288 211	426 365	72 61	1818 1467
Total	599	728	1210	1143	45	49	205	261	67	42	130	133	245	478	769	142	228	499	791	133	3285
Bloomfield Township.....	1033	1165	2375	2603	77	75	159	304	249	231	219	210	318	1033	1528	199	335	1055	1811	223	6502
Caldwell Township.....	634	679	1531	1373	21	6	62	42	123	63	73	42	134	577	930	174	131	434	795	161	3336
Clinton Twp. (not including)... Town of Irvington.....	189 353	203 387	403 703	401 777	7 9	5 9	21 22	22 37	86 73	46 63	21 66	16 43	51 99	177 259	265 444	42 62	52 110	153 272	256 493	32 63	1028 1802
Total	542	599	1106	1178	16	14	43	59	159	109	87	59	150	436	709	104	162	425	749	95	2830
East Orange Township— First Dist., Franklin.....	254	317	637	652	18	28	42	62	38	34	37	35	97	271	392	13	109	257	416	28	1583
Second Dist., Ashland, North	445	535	1086	1310	39	92	67	255	25	51	64	83	152	386	680	59	144	473	1074	104	3072
Third Dist., Ashland, South.	445	474	903	1191	36	63	82	276	48	56	79	82	138	338	603	57	188	483	938	71	2816
Fourth Dist., Eastern.....	461	515	1114	1329	17	24	44	139	52	47	45	47	135	414	637	83	142	484	851	111	2857
Total	1605	1841	3740	4482	110	206	235	732	163	188	225	247	522	1409	2312	212	583	1697	3279	314	10328
Franklin Township.....	288	334	611	612	4	6	63	81	29	22	97	77	85	256	404	41	83	267	405	61	1602

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Abstract of Census Returns for the County of ESSEX—1885—Continued.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.					AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of Inhabitants.	
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	F. males, Irish.	Males, German.	F. males, German.	Males, all other Nationalities.	F. males, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.		Over sixty.
Livingston Twp., including—																					
Northfield.....	46	46	107	88	.....	.....	1	5	13	9	2	1	11	40	58	11	8	47	40	11	226
Washington Place.....	19	21	51	51	4	1	2	3	3	3	2	.....	7	21	25	7	3	20	31	6	120
Squire Town.....	51	55	93	105	2	3	2	1	10	9	2	1	8	30	54	17	13	29	53	24	228
Livingston.....	64	65	170	139	2	3	2	3	16	12	2	1	23	61	83	22	15	56	76	14	350
Koseland.....	73	82	152	159	5	4	1	4	8	8	6	4	15	51	80	28	17	53	82	25	351
Total.....	253	269	573	542	13	11	8	16	50	41	14	7	64	203	300	85	56	205	282	80	1275
Milburn Township.....	382	412	749	787	16	39	94	193	35	19	43	48	85	268	503	77	85	292	649	64	2023
Montclair Township.....	986	1127	2275	2576	128	147	303	536	129	114	58	61	340	907	1490	153	331	1001	1929	176	6327
Newark City—																					
First Ward.....	1105	1614	2784	3216	89	119	269	516	191	219	245	202	342	880	2128	186	349	1100	2601	264	7850
Second Ward.....	844	1300	2369	2538	175	199	263	357	440	360	220	192	321	987	1961	198	308	1033	2089	216	7113
Third Ward.....	872	1365	2216	2540	177	239	74	218	350	358	145	162	307	903	1554	203	295	939	2030	248	6479
Fourth Ward.....	776	1265	2113	2139	60	89	269	378	381	318	272	189	325	794	1823	141	350	866	1726	174	6199
Fifth Ward.....	687	1248	1965	2135	31	26	346	367	253	203	177	142	347	790	1497	135	339	904	1493	140	5645
Sixth Ward.....	2197	3913	6402	6323	17	30	362	398	2801	2664	562	469	1563	3653	4548	380	1461	3416	4542	465	20028
Seventh Ward.....	973	1826	2735	3029	114	111	887	1030	210	208	288	292	534	1348	2157	180	509	1580	2313	283	8904
Eighth Ward.....	2019	3170	5327	5985	107	153	547	807	346	340	562	607	873	2046	3598	351	939	2324	4135	515	14781
Ninth Ward.....	1120	1425	2392	2831	140	191	58	266	277	275	161	120	238	799	1782	209	265	920	2189	309	6711
Tenth Ward.....	1735	2734	4332	4538	163	203	497	474	678	662	199	147	802	1946	2863	148	794	1939	3119	192	11803
Eleventh Ward.....	1158	1468	2826	3160	44	61	376	616	256	243	216	212	487	1127	1847	241	496	1265	2242	305	8010
Twelfth Ward.....	1706	2547	4622	4743	18	21	1163	1126	1531	1409	275	24	1200	2523	9637	192	1251	2589	3575	195	15162
Thirteenth Ward.....	2586	8137	6734	6772	246	251	154	243	3869	3539	466	378	1833	3913	5256	467	1718	3683	5289	493	22652
Fourteenth Ward.....	683	831	1645	1888	36	63	64	148	106	105	108	79	205	533	1055	178	208	553	1329	181	4242
Fifteenth Ward.....	1006	1653	2594	2700	57	44	299	435	317	276	371	316	451	1184	1851	134	500	1106	2000	183	7409
Total.....	19467	34496	51056	54537	1474	1791	5538	7379	12006	11179	4267	3761	9828	23426	37557	3343	9782	24217	40672	4163	152988

Abstract of Census Returns for the County of ESSEX—1885—Continued.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of Inhabitants.
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Orange City—																					
First Ward.....	612	756	1342	1459	134	159	245	267	94	84	97	75	287	580	993	44	252	616	1130	54	3956
Second Ward.....	586	784	1456	1614	59	69	248	344	146	123	52	38	256	616	994	105	268	740	1066	104	4149
Third Ward.....	979	1364	2307	2480	66	75	509	726	281	215	255	212	404	1180	1723	106	419	1204	1923	167	7126
Total	2177	2904	5105	5553	259	303	1002	1337	521	422	404	325	947	2376	3710	255	939	2560	4119	325	15231
South Orange Township (not including).....	362	436	835	908	21	47	111	257	49	43	44	53	130	381	486	59	130	411	691	80	2368
South Orange.....	296	327	742	732	4	6	57	63	108	82	38	25	100	361	388	73	126	316	422	71	1857
Total	658	763	1577	1640	25	53	168	320	157	125	82	78	230	742	874	132	256	727	1113	151	4225
West Orange Township.....	595	702	1280	1329	32	41	195	340	186	157	133	119	200	611	912	95	211	559	1104	120	3812
Total in County	29221	46010	73188	78355	2220	2741	8075	11600	13874	12712	5832	5167	13148	32722	51998	5012	13182	33938	57699	6065	213764

Abstract of Census Returns for the County of GLOUCESTER—1885.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of Inhabitants.
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Clayton Township (Clayton).....	445	488	1175	1155	17	13	7	7	9	12	4	.....	130	471	550	61	144	410	561	72	2399
Deptford Township (not including).....	231	239	521	476	82	65	19	13	20	5	11	8	80	227	306	38	63	198	267	41	1220
Town of Wenonah.....	61	66	123	155	.....	2	1	3	1	.....	2	.....	7	35	78	6	17	57	78	9	287
Westville.....	52	55	123	96	2	4	2	1	4	1	3	1	17	40	69	8	8	22	64	9	237
Total.....	344	360	767	727	84	71	22	17	25	6	16	9	104	302	453	52	88	277	409	59	1744
East Greenwich Township.....	251	261	543	529	46	19	5	8	48	24	8	3	64	201	306	78	60	152	300	72	1233
Franklin Township.....	533	552	1073	1007	47	41	18	23	25	14	64	50	164	359	589	114	149	339	542	106	2362
Glassboro Township (Glassboro).....	470	488	1182	1039	1	.....	31	29	45	41	7	2	141	483	580	74	141	377	508	73	2377
Greenwich Township.....	362	396	840	779	8	7	10	12	37	15	17	4	119	259	464	70	84	258	400	75	1729
Harrison Township.....	365	380	728	746	28	23	19	24	31	24	7	7	92	245	395	83	79	258	398	87	1637
Logan Township.....	319	391	753	713	21	12	21	17	58	28	21	9	84	258	471	62	83	222	415	58	1653
Mantua Township (Town of Mantua).....	381	391	770	792	.....	1	7	9	26	16	3	.....	85	227	421	72	97	237	407	78	1624
Monroe Township (Williamstown).....	389	391	958	861	7	13	18	13	39	23	12	6	112	363	475	85	108	310	443	54	1950
South Harrison Township.....	207	218	473	490	15	10	24	23	17	7	2	.....	47	173	278	34	41	147	245	36	1091
Washington Township.....	276	284	610	560	13	12	21	18	14	8	6	3	67	211	329	54	72	190	302	40	1265
West Deptford Township.....	247	253	580	560	52	43	10	14	25	19	1	1	69	232	317	45	91	233	282	36	1305
Woolwich Township (Swedesboro).....	410	433	899	810	93	92	25	27	51	25	19	5	106	344	530	88	127	282	490	79	2046
Woodbury City—																					
First Ward.....	200	211	304	332	75	89	4	9	10	7	1	.....	44	131	191	26	41	153	196	49	831
Second Ward.....	300	302	584	627	81	83	8	20	12	7	3	2	81	213	351	43	77	198	393	71	1427
Third Ward.....	212	214	430	473	21	32	9	22	22	9	1	1	50	132	266	34	64	146	289	39	1020
Total.....	712	727	1318	1432	177	204	21	51	44	23	5	3	175	476	808	103	182	497	878	159	3278
Total in County.....	5741	6013	12609	12140	609	561	259	292	494	285	192	102	1559	4604	6966	1075	1546	4189	6580	1084	27693

Abstract of Census Returns for the County of HUDSON—1885.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of inhabitants.
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Bayonne City—																					
First Ward.....	308	353	810	910	4	11	98	107	27	25	29	19	162	244	508	36	165	291	600	34	2040
Second Ward.....	587	704	1429	1333	13	15	193	202	151	133	102	89	332	558	947	58	282	572	871	40	3660
Third Ward.....	334	364	748	747	10	21	41	59	40	30	20	24	167	220	455	33	134	269	433	20	1740
Fourth Ward.....	311	513	1008	1011	2	1	206	302	62	44	69	55	227	488	700	19	262	469	616	39	2820
Fifth Ward.....	209	479	958	715	.....	.....	207	124	116	75	411	214	263	365	1057	15	234	311	559	16	2820
Total.....	1779	2413	4953	4716	29	48	805	794	396	307	631	401	1151	1875	3667	161	1077	1912	3079	158	13080
Guttenberg, Town of.....	256	355	493	438	1	1	76	60	239	207	58	42	140	269	412	34	140	230	359	31	1615
Harrison, Town of.....																					
First Ward.....	275	431	573	614	.....	.....	178	226	45	48	161	175	147	323	458	15	170	333	550	24	2020
Second Ward.....	164	221	295	330	1	.....	118	128	69	57	24	23	88	141	268	13	68	190	251	26	1045
Third Ward.....	228	293	459	527	2	5	65	83	88	85	75	49	109	233	270	28	126	251	401	20	1438
Fourth Ward.....	336	390	719	733	2	1	175	220	42	59	190	162	179	401	512	38	185	417	539	32	2303
Total.....	1003	1335	2046	2204	5	6	536	657	244	249	450	409	523	1098	1508	94	549	1191	1741	102	6866
Hoboken City—																					
First Ward.....	590	1748	2260	2331	2	2	297	340	1225	1131	310	172	627	1007	2280	63	599	1260	2140	94	8070
Second Ward.....	517	985	1377	1427	25	29	71	187	730	723	128	119	249	689	1304	88	233	748	1401	104	4816
Third Ward.....	1123	2635	4101	4400	22	13	885	684	682	1240	661	569	588	3595	3565	78	571	2440	2269	151	13257
Fourth Ward.....	371	2560	3690	3167	6	8	696	748	1323	1257	376	307	1102	1935	2817	126	985	1787	2627	199	11578
Total.....	2001	7928	11428	11325	55	52	1949	1959	3960	4351	1475	1167	2566	7226	9966	355	2388	6235	8437	548	37721

Abstract of Census Returns for the County of HUDSON—1885—Continued.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of Inhabitants.
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Jersey City—																					
First Aldermanic Dist....	1710	5186	8830	7554	240	275	1979	1973	1370	1215	1215	939	1821	4249	7212	287	1620	4039	6022	340	25590
Second Aldermanic Dist....	1943	5904	10022	9203	97	105	4442	4153	1025	917	702	592	2290	5555	7838	500	2334	5355	6738	648	31258
Third Aldermanic Dist....	2060	4962	9087	9242	153	143	1371	1657	692	622	545	498	1949	3326	6011	390	1774	4043	5941	576	24010
Fourth Aldermanic Dist....	4325	6304	9866	9830	33	16	1300	1576	3079	2836	1007	707	2058	5151	7128	627	2112	5569	7081	626	30352
Fifth Aldermanic Dist....	2551	3476	5921	6148	122	187	961	1298	673	604	823	838	1644	2426	4357	629	1056	2854	4062	547	17575
Sixth Aldermanic Dist....	3525	4875	8814	9261	126	211	1057	1566	1121	950	868	754	1436	3810	6021	473	1478	4504	6425	581	24728
Total	16114	30707	52543	51238	771	937	11209	12223	7960	7144	5160	4328	11198	24517	38567	2906	10374	26364	36269	3318	153513
Kearny Township.....	546	668	1049	1080	7	5	160	188	59	56	364	370	138	670	779	20	219	661	815	34	3338
North Bergen Township...	636	891	1736	1505	23	19	405	369	629	423	251	99	286	893	1649	214	314	751	1187	165	5459
Town of Union.....	1225	1683	2381	2416	9	9	196	164	1413	1317	268	225	687	1284	2406	157	594	1349	2029	202	8398
Union Township.....	296	416	552	519	.....	.....	145	91	199	165	59	51	125	297	482	52	125	272	373	55	1781
Weehawken Township.....	213	296	468	435	.....	1	140	120	104	86	67	62	103	253	535	18	101	245	334	20	1469
West Hoboken Township..	1039	1533	2133	2213	10	8	152	264	772	707	480	423	516	1339	1720	146	458	1112	1720	160	7162
Total in County.....	25768	48135	79782	78079	910	1086	15773	16889	15971	15012	9263	7577	17433	31712	61241	4157	16339	40322	56343	4795	240342

Abstract of Census Returns for the County of HUNTERDON—1885.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of Inhabitants.
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Alexandria Township.....	209	315	626	697	.....	1	2	1	3	2	1	2	50	203	193	86	56	268	295	84	1235
Bethlehem Township (including).....	556	506	1245	1255	25	22	61	56	24	27	39	26	158	437	692	98	149	467	661	118	2780
Glen Gardner.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	71
Junction .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	483
West End and Valley Station.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	313
Bloomsbury.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	572
Clinton Township.....	426	452	931	997	4	2	21	19	11	9	7	3	114	260	483	101	115	314	512	105	2004
Delaware Township.....	637	729	1416	1445	12	9	75	57	27	25	23	3	136	516	700	192	143	486	754	165	3092
East Amwell Township.....	326	337	731	739	28	27	4	4	10	4	2	.....	75	243	377	79	75	219	392	89	1549
Franklin Township.....	286	350	709	653	.....	1	2	2	12	1	7	.....	75	218	364	85	68	268	236	73	1387
Frenchtown, Borough of.....	244	279	502	558	1	2	.....	.....	1	.....	.....	.....	40	152	263	53	42	142	312	62	1066
High Bridge Township.....	416	441	946	942	4	2	56	63	6	2	2	1	112	377	451	68	120	394	437	65	2024
Holland Township (not including).....	262	269	575	596	2	1	1	.....	17	7	1	.....	63	170	288	64	53	211	295	56	1200
Milford.....	141	161	302	351	.....	1	6	3	1	1	1	1	36	88	157	33	29	116	169	39	667
Total	403	430	877	947	2	2	7	3	18	8	2	1	99	258	445	97	82	327	464	95	1867
Kingwood Township.....	323	368	742	712	.....	1	4	7	3	1	6	6	65	256	383	91	87	210	294	96	1482
Lambertville City—																					
First Ward.....	260	260	478	481	.....	.....	99	119	4	5	32	24	93	212	258	41	103	195	307	33	1242
Second Ward.....	312	316	464	624	3	4	32	41	11	3	9	4	48	133	275	63	45	180	373	78	1195
Third Ward.....	397	397	698	873	4	5	17	26	5	2	.....	.....	72	190	396	60	85	269	489	69	1630
Total	969	973	1640	1978	7	9	148	186	20	10	41	28	213	535	929	164	233	644	1169	180	4067

Abstract of Census Returns for the County of HUNTERDON—1885—Continued.

	Dwelling houses.		NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of Inhabitant
	Families.		White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Lebanon Township.....	603	604	1274	1363	12	10	56	59	9	5	14	14	173	482	665	87	192	515	591	111	2816
Raritan Township (not including).....	420	436	981	962	14	23	14	6	35	22	9	4	103	391	445	115	112	305	485	114	2070
Flemington.....	386	432	813	955	38	32	22	19	12	9	6	3	102	265	430	102	88	253	561	108	1909
Total	806	868	1794	1917	52	55	36	25	47	31	15	7	205	656	875	217	200	558	1046	222	3979
Readington Township.....	619	677	1378	1459	21	20	12	6	17	7	14	6	178	410	689	209	172	424	695	163	2940
Tewksbury Township.....	433	472	994	1027	21	13	2	2	16	4	2	.....	129	317	481	108	123	354	458	111	2081
Town of Clinton.....	181	202	361	472	14	22	6	7	6	3	2	3	43	91	215	37	53	154	253	50	896
Union Township.....	242	267	612	567	4	1	2	2	6	1	.....	.....	66	208	286	65	48	186	271	65	1195
West Amwell Township.....	190	211	461	455	11	10	7	7	6	.....	2	1	32	175	234	43	38	162	232	44	960
Total in County.....	7959	8571	17239	18083	218	209	503	506	242	140	179	101	1963	5794	8725	1880	1996	6092	9072	1898	37420

Abstract of Census Returns for the County of MERCER—1885.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of Inhabitants.
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Chambersburg Borough	1715	1775	3065	2995	20	27	177	200	442	431	666	519	608	1455	2158	126	583	1450	2010	152	8542
East Windsor Township (not including) ..	188	201	445	423	29	30	11	11	6	4	.....	1	54	138	247	46	44	147	232	52	960
Borough of Hightstown.....	318	366	712	805	15	28	4	13	8	7	13	3	77	236	385	56	75	260	434	85	1608
Total	506	567	1157	1228	44	58	15	24	14	11	13	4	131	374	632	102	119	407	666	137	2568
Ewing Township.....	293	316	914	907	103	96	134	126	61	55	57	36	102	299	733	120	116	291	729	99	2489
Hamilton Township.....	669	735	1510	1502	82	66	50	22	91	40	43	14	180	681	663	183	181	544	827	161	3420
Hopewell Township.....	761	955	1942	1953	138	131	78	58	32	25	13	5	307	708	1011	228	197	630	1031	255	4367
Lawrence Township.....	292	305	665	630	61	58	46	39	25	20	32	13	104	252	416	59	103	241	357	57	1589
Millham Township.....	448	453	797	748	3	3	100	105	67	53	242	220	181	372	541	20	214	404	564	42	2338
Princeton Township.....	883	935	1915	1454	338	383	123	205	42	16	63	38	178	799	1349	155	160	618	1115	203	4577
Trenton—																					
First Ward.....	893	902	1857	2070	72	43	66	95	95	88	212	140	153	565	1475	72	173	628	1557	115	4738
Second Ward.....	597	612	963	1092	143	157	43	129	39	42	34	19	105	399	716	71	93	351	915	101	2661
Third Ward.....	1249	1447	2818	2696	117	19	322	245	308	197	324	199	335	868	2515	179	339	941	1804	204	7185
Fourth Ward.....	875	946	1675	1734	26	24	235	240	113	96	273	220	274	699	1253	101	288	738	1154	123	4630
Fifth Ward.....	1136	1209	2268	2319	124	150	284	255	98	77	301	240	365	903	1665	135	312	918	1666	158	6122
Sixth Ward.....	396	411	737	721	4	4	86	83	151	132	55	46	151	316	535	35	144	320	480	38	2019
Seventh Ward.....	1400	1466	2657	2694	27	203	243	244	221	185	119	100	459	1134	1736	160	486	1114	1739	203	7031
Total	6546	6893	13005	13236	761	696	1279	1291	1025	811	1318	964	1842	4794	9895	753	1835	5010	9315	942	34386
Washington Township.....	277	288	497	522	40	40	35	35	22	4	6	5	45	251	314	58	65	198	202	63	1196
West Windsor Township.....	266	279	615	542	37	19	31	28	17	5	11	8	99	246	308	64	62	184	288	62	1313
Total in County.....	12656	13501	26081	25717	1627	1577	2660	2123	1828	1471	2464	1826	3777	10231	18020	1868	3635	9977	17104	2173	60785

Abstract of Census Returns for the County of MIDDLESEX—1885.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of Inhabitants.
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Cranbury Township.....	332	348	705	719	58	40	14	14	11	3	4	1	76	260	380	74	73	228	399	79	1569
East Brunswick Township (not including Town of Washington).....	445 239	489 239	955 447	913 490	16 12	11 9	28 97	30 33	173 97	156 18	55 92	53 12	149 61	361 150	595 495	122 39	159 63	347 144	555 299	102 56	2390 1307
Total	684	728	1402	1403	28	20	125	63	270	174	147	65	210	511	1090	161	222	491	854	158	3697
Madison Township.....	296	317	627	584	8	7	42	41	113	95	2	.....	91	284	354	67	90	250	329	54	1519
Monroe Township (not including).....	369	373	820	777	43	30	22	13	35	22	5	3	103	304	425	91	107	261	413	66	1770
Jamesburg.....	234	241	712	487	58	15	42	53	25	28	5	4	74	455	284	25	73	176	309	33	1429
Total	603	614	1532	1264	101	45	64	66	60	50	10	7	177	759	709	116	180	437	722	99	3199
New Brunswick City—																					
First Ward.....	393	580	1112	1253	.....	8	92	138	46	38	45	41	141	415	659	80	176	572	625	105	2773
Second Ward.....	543	701	1211	124	169	193	76	125	88	70	16	12	230	499	737	94	219	531	835	109	3254
Third Ward.....	271	399	832	777	8	9	18	37	140	118	21	21	96	327	553	43	117	286	512	47	1981
Fourth Ward.....	168	201	403	502	11	13	4	12	11	11	10	3	34	132	238	35	42	127	301	71	980
Fifth Ward.....	722	911	1809	2073	79	139	102	174	46	45	25	25	268	630	1046	117	262	623	1378	193	4517
Sixth Ward.....	635	890	1806	1836	59	65	306	405	109	97	40	30	260	790	1151	116	285	750	1260	141	4753
Total	2732	3682	7173	7735	326	427	598	891	440	379	157	132	1029	2793	4384	485	1101	2889	4911	666	18258
North Brunswick Township.....	129	330	528	532	24	18	21	22	58	49	10	10	76	206	300	56	70	188	316	60	1272

Abstract of Census Returns for the County of MIDDLESEX—1885—Continued.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of Inhabitants.
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Perth Amboy City—																					
First Ward.....	304	403	724	808	13	11	15	33	25	27	64	143	111	297	512	51	102	314	544	62	1963
Second Ward.....	333	497	782	765	11	11	136	124	101	72	135	146	152	328	692	42	147	335	574	62	2333
Third Ward.....	284	426	546	543	1	1	156	136	41	30	303	258	176	300	545	36	159	314	456	39	2015
Total	921	1326	2052	2116	25	23	307	293	167	129	652	547	439	895	1740	129	408	963	1574	163	6311
Piscataway Township.....	598	636	1326	1341	94	79	61	65	59	39	8	42	184	505	733	171	162	443	808	149	3155
Raritan Township.....	714	749	1470	1558	41	43	127	151	136	88	32	19	153	574	936	151	192	561	925	164	3356
Sayreville Township.....	391	469	698	622	3	2	199	96	512	133	99	45	163	375	1053	30	159	310	426	33	2549
South Amboy Township.....	825	870	1541	1594	1	1	340	310	58	51	85	69	245	722	957	75	311	701	928	85	4054
South Brunswick Township.....	498	581	1155	1186	82	72	48	45	61	42	10	7	115	476	657	121	141	432	655	117	2714
Woodbridge Township.....	736	822	1458	1450	31	25	306	272	163	160	596	156	259	711	1198	140	292	716	861	140	4227
Total in county.....	9379	11412	21673	22084	822	807	2252	2329	2099	1362	1652	1100	3237	9071	14411	1776	3401	8609	13708	1967	56180

Abstract of Census Returns for the County of MONMOUTH—1885.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of Inhabitants.
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Atlantic Township.....	311	331	650	627	77	75	61	73	44	26	17	6	72	255	418	96	61	275	376	103	1656
Eatontown Township.....	600	633	1123	1153	166	153	58	37	33	27	34	28	165	567	664	123	130	433	557	173	2812
Freehold Township (not including).....	505	510	1001	930	99	139	70	96	15	7	9	4	129	407	550	98	153	365	563	105	2370
Town of Freehold.....	405	421	913	1041	35	22	34	41	15	13	5	5	98	328	515	72	94	337	577	103	2124
Total.....	910	931	1914	1971	134	161	104	137	30	20	14	9	227	735	1065	170	247	702	1140	208	4494
Holmdel Township.....	290	295	718	690	44	20	71	65	14	2	9	7	85	270	437	56	85	269	372	66	1640
Howell Township.....	706	720	1628	1652	2	1	7	6	4	4	4	.....	215	546	715	151	248	621	690	122	3308
Manalapan Township	297	313	917	924	68	57	64	55	28	16	2	12	128	325	514	109	108	330	512	117	2143
Matawan Township (not including).....	265	281	486	476	43	51	79	81	30	24	16	15	76	256	262	60	93	220	270	64	1301
Matawan.....	303	322	575	600	43	46	35	43	16	9	18	10	76	219	309	67	67	223	409	65	1455
Total.....	568	603	1061	1136	86	97	114	124	46	33	34	25	152	475	591	127	160	443	979	129	2756
Marlboro Township.....	420	432	867	853	53	59	96	104	24	8	16	9	109	345	499	90	127	349	485	85	2089
Middletown Township.....	1094	1164	2282	2362	200	188	201	242	155	71	58	43	295	867	1520	214	332	912	1457	205	5802
Millstone Township.....	387	395	929	824	31	23	46	50	6	3	3	2	115	347	447	97	84	319	408	100	1917
Neptune Township (not including).....	701	799	1406	1312	194	191	3	3	3	5	3	.....	192	529	808	50	174	511	792	64	3120
Asbury Park.....	502	521	970	1107	11	14	4	4	3	4	5	2	70	296	575	44	90	339	665	45	2124
Ocean Grove.....	293	304	507	651	2	2	.....	4	3	2	4	2	50	163	260	56	50	180	356	62	1177
Total.....	1496	1624	2883	3070	207	207	7	11	9	11	12	4	312	988	1643	150	314	1030	1813	171	6421

Abstract of Census Returns for the County of MONMOUTH—1885—Continued.

	Dwelling houses.		NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.			AGE OF FEMALES BY CLASSES.			Total number of inhabitants.		
	Families.	White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.		Over sixty.	
Ocean Township (not including).....	372	387	808	797	19	20	20	30	9	11	11	12	163	270	296	77	176	288	41	69	1740
Long Branch.....	1015	1154	2050	2182	159	143	109	153	133	87	64	60	330	708	1330	146	316	790	1377	143	5140
Sea Bright.....	121	141	306	282	3	.....	6	17	6	8	19	13	56	86	191	8	56	93	158	12	660
Total	1508	1682	3164	3261	181	163	135	200	148	109	94	85	549	1064	1817	231	548	1171	1936	224	7540
Raritan Township (not including).....	235	256	551	533	4	2	21	22	8	5	17	12	75	188	296	45	67	196	258	50	1175
Keyport.....	612	727	1292	1406	37	43	49	67	60	35	39	35	210	416	596	148	239	521	759	174	3063
Total	847	983	1843	1939	41	45	70	89	68	40	56	47	285	604	892	193	306	717	1017	224	4238
Shrewsbury Township (not including).....	846	895	1597	1699	357	381	107	125	33	13	38	22	197	676	1124	159	236	703	1161	116	4372
Red Bank.....	573	676	1231	1505	88	95	49	82	54	32	30	20	157	382	807	82	151	538	946	123	3186
Total	1419	1571	2828	3204	445	476	156	207	87	45	68	42	354	1058	1931	241	387	1241	2107	239	7558
Upper Freehold Township.....	673	698	1400	1404	108	101	39	43	14	7	5	.....	183	480	742	149	176	481	725	194	3130
Wall (including).....	998	1082	2440	2265	9	7	3	12	16	25	20	13	387	866	1082	152	341	846	1011	135	4820
Borough of North Brighton																					169
Borough of Ocean Beach.....																					359
Total in County.....	12524	13457	26656	27335	1852	1833	1232	1455	736	447	446	332	3633	9792	14977	2349	3654	10139	15255	2495	62324

Abstract of Census Returns for the County of MORRIS—1885.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.			AGE OF FEMALES BY CLASSES.				Total number of Inhabitants.	
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.		Over sixty.
Boonton Township (not including)	71	72	161	157	2	5	3	2	3	4	3	2	15	65	73	18	21	51	79	20	342
Town of Boonton.....	470	540	892	1077	6	11	85	106	32	31	79	71	104	375	532	81	138	453	610	97	2390
Total	541	612	1053	1234	8	16	88	108	35	35	82	73	119	440	605	99	159	504	689	117	2732
Chatham Township.....	809	887	1474	1545	69	94	275	352	70	42	208	162	274	649	1061	266	151	564	1115	211	4291
Chester Township.....	442	506	1164	1114	4	1	32	31	17	15	81	51	219	405	534	100	202	437	539	74	2510
Hanover Township.....	628	656	1750	1754	41	35	253	307	115	76	57	71	239	535	1255	223	212	500	1266	229	4459
Jefferson Township.....	276	318	744	716	.....	.....	24	15	4	2	34	20	100	293	346	69	101	267	321	62	1559
Mendham Township.....	293	303	621	686	16	11	9	38	8	1	6	5	55	229	336	81	66	217	360	87	1431
Montville Township.....	260	270	578	588	10	6	17	8	8	5	4	1	75	200	274	68	74	186	287	61	1225
Morris Township.....	1308	1600	3146	3729	187	233	365	698	80	86	115	121	445	1104	2053	236	542	1382	2653	345	8760
Mount Olive Township.....	397	416	1007	905	2	.....	23	24	9	5	20	10	153	359	458	64	152	312	435	72	2005
Passaic Township.....	312	362	733	755	4	1	29	44	68	45	25	22	87	267	379	109	86	273	416	99	1716
Pequannock Township.....	494	502	1176	1180	16	13	39	42	39	27	53	40	164	466	610	93	160	447	582	103	2625
Randolph Township (not including).....	624	793	1406	1435	8	7	170	166	37	33	305	308	256	726	813	141	233	706	864	136	3875
Dover.....	527	667	1286	1326	17	18	45	64	64	42	164	144	193	522	793	67	194	529	795	77	3170
Total	1151	1460	2692	2761	25	25	215	230	101	75	469	452	449	1248	1606	208	427	1235	1659	213	7045
Rockaway Township.....	999	1169	2390	2173	.....	1	219	243	22	12	268	245	426	1064	1175	155	387	1000	1192	174	5573
Roxbury Township	426	482	1007	1000	2	2	27	23	37	20	39	27	167	310	528	90	177	396	422	94	2184
Washington Township.....	531	579	1276	1231	2	2	4	6	16	3	13	7	166	458	590	114	136	410	574	112	2560
Total in County.....	8897	10122	20801	21371	386	440	1649	2169	629	449	1474	1307	3138	8027	11810	1975	3032	8130	12510	2053	50675

Abstract of Census Returns for the County of OCEAN—1885.

		NATIVE BORN.				FOREIGN BORN.							AGE OF MALES BY CLASSES.			AGE OF FEMALES BY CLASSES.					
	Dwelling houses.	Families	White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Total number of Inhabitants.
Berkeley Township.....	144	161	374	319	1	1	3	.....	2	2	7	5	46	109	196	36	42	98	163	24	714
Brick Township.....	780	800	1809	1811	15	14	21	27	11	8	41	40	213	625	894	156	214	629	928	136	3794
Dover Township.....	545	545	1238	1238	1	4	3	14	29	24	29	14	134	424	643	98	105	446	649	95	2594
Eagleswood Township.....	156	170	356	323	.....	.....	.....	.....	.....	.....	1	1	31	115	179	32	38	112	147	27	681
Jackson Township (not including).....	19	19	56	40	.....	.....	.....	.....	.....	.....	.....	.....	8	21	25	2	6	13	18	3	96
Bennett's Mills.....	52	52	131	97	.....	.....	.....	.....	.....	.....	.....	.....	14	53	58	7	9	23	55	9	228
Cassville.....	82	86	211	185	.....	.....	.....	.....	1	1	5	2	33	78	87	18	22	65	86	16	405
Collier's Mills.....	54	54	125	102	.....	.....	.....	.....	.....	.....	.....	.....	22	46	46	11	16	34	44	8	227
Jackson's Mills.....	58	60	115	136	.....	.....	.....	.....	.....	.....	.....	.....	11	39	64	10	19	45	59	14	251
Vanhiseville.....	69	70	156	158	.....	.....	.....	.....	.....	1	1	.....	16	57	69	17	19	59	66	13	316
Whitesville.....	44	45	127	113	.....	.....	.....	.....	.....	.....	.....	.....	27	45	44	11	19	36	46	12	240
Total.....	378	386	921	831	.....	.....	.....	.....	1	2	6	2	131	339	383	76	110	275	374	75	1763
Lacy Township.....	166	166	371	375	.....	.....	.....	.....	.....	.....	.....	.....	27	133	186	25	44	136	168	27	746
Manchester Township(Town of Manchester).....	226	243	495	454	15	9	40	45	8	6	16	10	62	209	264	35	70	205	222	31	1098
Ocean Township.....	114	119	244	264	19	8	.....	2	2	2	.....	.....	26	81	137	18	38	87	132	22	541
Plumstead Towship.....	311	328	787	690	21	13	10	13	8	4	.....	.....	112	280	365	70	79	225	334	81	1546
Stafford Township.....	231	254	556	464	2	2	.....	.....	.....	.....	1	1	59	180	276	44	48	136	244	39	1026
Union Township.....	233	233	523	538	1	.....	1	2	8	3	3	4	56	173	266	41	64	183	271	39	1083
Total in County.....	3284	3405	7674	7307	75	48	78	103	69	51	104	77	897	2668	3789	631	842	2532	3632	595	15586

Abstract of Census Returns for the County of PASSAIC—1885.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of Inhabitants.
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Acquackanonk Township.....	344	387	773	786	20	14	15	28	107	87	106	102	124	344	501	50	120	336	503	60	2638
Little Falls Township.....	296	333	610	558	1	.....	69	80	79	63	134	107	87	325	441	41	100	278	385	44	1701
Manchester Township.....	270	300	595	619	2	2	25	50	61	46	134	105	117	265	384	57	108	313	351	44	1639
Passaic City.....																					
First Ward.....	548	970	1445	1466	19	15	359	354	193	156	610	517	393	800	1332	60	396	816	1204	83	5134
Second Ward.....	355	430	740	819	35	42	52	88	28	23	139	139	126	333	481	51	119	328	588	73	2099
Third Ward.....	184	221	422	423	1	1	11	37	19	15	75	89	82	165	247	33	76	194	274	22	1093
Total.....	1087	1621	2607	2708	55	58	422	479	240	197	824	736	601	1298	2110	144	591	1338	2066	178	8326
Paterson City.....																					
First Ward.....	872	1496	2231	2444	14	21	18	33	175	162	788	804	465	1063	1548	148	456	1172	1662	176	6690
Second Ward.....	1162	1654	2579	2737	32	27	227	302	275	251	733	715	479	1322	1891	139	449	1336	2050	221	7878
Third Ward.....	1822	2071	2999	3114	190	198	168	275	461	441	984	860	690	1529	2408	188	614	1507	2588	256	9750
Fourth Ward.....	1028	1340	5019	2526	44	63	140	246	107	103	566	577	335	871	1608	147	337	915	1046	232	6391
Fifth Ward.....	1238	1909	2574	2792	21	23	499	623	242	261	1316	1285	512	1629	2285	161	533	1767	2460	229	9576
Sixth Ward.....	564	888	1190	1260	18	12	165	231	286	227	395	392	248	505	1192	101	221	536	1129	129	4063
Seventh Ward.....	720	1392	2290	2049	.....	.....	875	994	205	190	450	392	316	1549	1859	87	288	1289	1956	101	7445
Eighth Ward.....	1280	2355	3265	3442	5	5	1006	1298	421	348	839	851	795	1921	2602	178	729	1989	2990	276	11480
Total.....	8086	13105	19087	20424	324	349	3098	4002	2172	1983	6071	5763	3810	10389	15393	1140	3629	10511	16781	1620	63273
Pompton Township.....	394	420	936	907	69	66	13	25	6	4	48	35	174	344	468	86	175	340	447	75	2109
Wayne Township.....	326	364	757	713	16	16	68	39	57	30	110	60	98	313	519	76	99	295	402	64	1866
West Milford Township.....	460	483	1194	1129	28	22	6	8	9	3	18	5	170	431	530	126	176	403	497	89	2422
Total in County.....	11863	17013	26559	27844	515	527	3716	4711	2731	2413	7445	6913	5181	13709	20346	1720	4998	13814	21432	2174	83374

Abstract of Census Returns for the County of SALEM—1885.

	Dwelling houses,	Families,	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.			AGE OF FEMALES BY CLASSES.				Total number of inhabitants.	
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.		Over sixty.
Elsinboro Township.....	117	122	234	196	66	49	6	4	4	3	5	4	33	105	152	24	25	89	124	19	571
Lower Alloways Creek Township.....	294	304	631	607	64	38	2	3	11	5	1	3	68	272	319	50	76	221	308	51	1365
Lower Penns Neck Township.....	261	281	574	528	159	108	9	11	6	3	6	4	73	243	386	52	86	235	291	42	1408
Mannington Township.....	377	401	589	506	510	469	31	29	22	3	8	3	106	441	528	85	127	357	445	72	2161
Oldman's Township (not including).....	163	172	453	344	4	2	13	8	25	23	9	7	63	175	247	19	54	131	178	21	888
Pedricktown.....	79	97	186	198	.....	1	2	.....	2	1	.....	.....	26	50	97	17	23	56	104	17	390
Auburn.....	40	46	95	90	.....	.....	.....	.....	.....	.....	.....	.....	14	24	47	10	14	23	46	7	185
Total.....	282	315	734	632	4	3	15	8	27	24	9	7	163	249	391	46	91	210	328	45	1463
Pilesgrove Township (not including).....	301	302	652	559	152	140	20	14	14	7	6	.....	86	300	399	59	91	231	344	54	1564
Borough of Woodstown.....	331	337	524	674	67	81	9	17	21	15	1	1	53	182	302	85	68	251	365	101	1410
Sharpstown.....	58	58	116	105	6	14	.....	1	.....	.....	.....	1	13	39	53	17	9	29	59	14	243
Yorktown.....	41	41	48	48	41	43	.....	.....	.....	.....	.....	.....	8	34	38	9	14	28	41	8	189
Total.....	731	738	1340	1386	266	278	29	32	35	22	7	2	160	555	792	170	182	549	809	180	3397
Pittsgrove Township.....	468	500	935	872	7	7	5	6	33	21	123	126	140	367	511	85	144	321	499	68	2135
Quinton Township.....	289	308	619	552	143	126	2	4	9	5	.....	.....	87	281	373	31	91	236	322	39	1400
Salem City—East Ward.....	658	665	1105	1240	156	172	18	19	26	16	9	4	145	385	681	103	140	405	757	151	2765
West Ward.....	635	626	1169	1261	53	81	40	62	34	27	14	10	172	407	627	104	157	419	718	147	2751
Total.....	1293	1291	2274	2501	209	253	58	81	60	43	23	14	317	792	1308	207	297	822	1475	298	5516
Upper Alloways Creek Township.....	398	404	812	855	29	21	6	6	9	9	2	.....	85	293	391	90	112	284	407	84	1749
Upper Penns Neck Township.....	413	521	1066	1039	27	31	10	7	10	7	13	6	115	334	581	96	136	326	537	91	2216
Upper Pittsgrove Township.....	400	414	937	905	15	14	7	5	26	14	6	3	105	314	469	82	102	301	468	70	1932
Total in County.....	5323	5599	10745	10579	1499	1388	180	196	252	159	203	172	1392	4246	6225	1018	1469	3951	6013	1059	25373

CENSUS OF 1885.

Abstract of Census Returns for the County of SOMERSET—1885.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.				AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				To'al number of Inhabitants.		
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.		Twenty to sixty.	Over sixty.
Bedminster Township.....	363	397	826	803	50	51	12	11	10	4	2	.....	66	334	403	97	92	308	378	91	1769
Bernards Township.....	500	527	1129	1145	2	2	44	55	54	39	15	19	129	407	573	135	109	371	637	143	2504
Branchburg Township.....	232	257	539	511	38	36	17	14	10	7	2	3	52	182	307	67	53	172	281	63	1177
Bridgewater Township (not including).....	343	357	749	759	18	11	35	29	115	83	50	34	85	328	469	83	88	310	456	64	1883
Bound Brook.....	180	217	402	392	9	16	29	31	27	23	49	33	48	167	271	29	46	139	270	41	1011
Raritan.....	376	416	734	757	1	3	141	163	92	72	182	99	109	425	581	51	101	397	539	41	2244
Somerville.....	621	748	1180	1375	193	230	67	95	79	50	32	15	176	464	779	132	168	486	948	163	3316
Total.....	1520	1738	3065	3283	221	260	272	318	313	228	313	181	418	1384	2100	295	403	1332	2213	309	8454
Franklin Township (not including).....	479	498	1052	1018	172	131	48	69	50	25	14	10	121	455	622	138	111	383	631	128	2589
Bloomington.....	139	152	224	245	53	58	28	26	8	8	7	3	38	96	155	31	37	96	178	29	660
East Millstone.....	91	104	184	196	3	5	20	23	21	11	5	3	35	69	111	18	25	73	119	21	471
Total.....	709	754	1460	1459	228	194	96	118	79	44	26	16	194	620	888	187	173	552	928	178	3720
Hillsborough Township.....	650	691	1345	1395	96	77	42	43	57	38	39	19	153	539	710	177	135	476	779	182	3151
Montgomery Township.....	358	386	739	747	108	94	27	30	17	4	24	10	96	300	420	99	92	270	422	101	1800
North Plainfield Township.....	684	756	1464	1628	47	53	64	105	135	111	67	54	211	585	868	113	186	570	1042	153	3728
Warren Township.....	234	247	465	436	3	.....	8	10	83	60	32	25	54	194	257	86	51	180	235	65	1122
Total in County.....	5250	5753	11032	11407	793	767	582	704	758	535	520	327	1373	4545	6526	1256	1294	4231	6915	1285	27425

Abstract of Census Returns for the County of SUSSEX—1885.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.			AGE OF FEMALES BY CLASSES.			Total number of Inhabitants.		
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.		Twenty to sixty.	Over sixty.
Andover Township.....	231	245	503	499	.....	.....	4	4	2	2	.....	.....	55	142	254	60	47	135	271	50	1014
Byram Township.....	187	210	606	570	4	2	16	14	11	8	0	2	80	198	313	59	71	171	297	53	1242
Frankford Township.....	306	334	730	729	5	4	10	6	5	4	2	.....	64	231	363	92	61	214	382	88	1495
Green Township.....	121	122	371	332	.....	1	.....	.....	.....	.....	.....	.....	37	124	173	24	44	102	161	39	704
Hampton Township.....	181	189	491	431	.....	.....	3	5	1	.....	6	1	55	171	231	46	45	122	225	43	938
Hardyston Township.....	453	505	1144	1130	9	3	55	57	3	.....	58	41	183	432	588	67	161	441	549	79	2500
Lafayette Township.....	170	188	375	412	1	.....	1	1	1	1	17	7	38	103	213	41	36	128	218	39	816
Montague Township.....	190	197	461	393	7	7	2	8	9	7	3	3	66	151	213	51	55	133	195	36	900
Newton Township, co-extensive with Town of Newton.....	511	610	1138	1300	7	10	41	61	25	19	30	17	117	385	613	101	96	381	824	131	2648
Sandyston Township.....	139	150	543	524	5	8	1	.....	6	3	1	1	49	170	273	61	50	168	268	53	1092
Sparta Township.....	390	417	915	884	4	3	27	26	4	2	22	14	98	322	469	86	106	306	440	83	1901
Stillwater Township.....	305	312	681	659	.....	1	4	8	1	1	7	4	77	229	313	75	69	205	316	82	1366
Vernon Township.....	357	374	917	898	2	.....	7	9	9	2	8	3	119	295	431	98	143	291	395	83	1855
Walpack Township.....	115	121	272	272	3	4	.....	.....	1	.....	.....	1	22	92	141	21	30	88	139	20	553
Wantage Township (not including).....	484	606	1271	1231	14	15	8	4	3	3	4	3	151	415	590	144	112	361	645	138	2556
Deckertown.....	151	172	378	416	2	2	8	5	4	1	4	1	32	97	234	33	37	117	222	49	821
Total.....	635	778	1649	1647	16	17	16	9	7	4	8	4	183	512	824	177	149	478	867	187	3377
Total in County.....	4291	4752	10796	10680	63	60	187	208	85	53	171	98	1243	3557	5403	1059	1163	3363	5547	1066	22401

CENSUS OF 1885.

Abstract of Census Returns for the County of UNION—1885.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.			AGE OF FEMALES BY CLASSES.				Total number of inhabitants.	
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Clark Township.....	69	72	126	125	1	3	18	20	29	15	15	11	15	55	102	17	19	55	87	13	363
Cranford Township.....	228	239	466	486	23	23	29	59	54	42	28	41	60	181	303	56	51	213	337	50	1251
Elizabeth City—																					
First Ward.....	974	1315	2145	2068	24	27	279	258	575	474	183	147	425	1054	1659	67	405	1003	1486	81	6180
Second Ward.....	900	1220	1957	1821	6	2	709	734	396	295	218	158	491	1076	1683	38	452	1045	1464	47	6296
Third Ward.....	692	1016	1489	1505	44	46	199	242	701	574	90	93	449	819	1138	112	438	788	1125	114	4983
Fourth Ward.....	363	452	791	936	26	21	52	118	86	68	53	47	128	267	542	71	132	323	628	107	2198
Fifth Ward.....	947	1103	2071	2301	98	114	167	382	126	123	143	119	317	814	1341	133	297	946	1701	195	5744
Sixth Ward.....	407	428	862	1104	43	54	29	76	23	22	11	19	87	297	514	65	98	348	743	91	2243
Seventh Ward.....	251	332	625	789	27	41	57	113	42	55	20	11	34	257	438	41	4	366	850	51	1780
Eighth Ward.....	486	538	903	954	12	20	164	231	75	68	139	129	166	406	677	45	149	433	747	72	2695
Total	4960	6404	10843	11578	280	325	1656	2154	2024	1679	857	723	2097	4990	7992	572	2014	5252	8444	758	32119
Fanwood Township.....	241	250	471	500	17	15	22	39	32	20	53	41	58	176	303	58	65	182	314	54	1210
Linden Township.....	348	379	675	684	40	50	52	82	156	94	84	54	117	276	565	50	115	270	515	63	1971
New Providence Twp., co-extensive with Town of New Providence.....	166	169	318	353	1	1	21	31	44	26	15	14	36	124	185	53	54	127	203	42	824
Plainfield City—																					
First Ward.....	350	516	742	860	53	69	64	80	48	53	21	28	106	257	530	35	106	301	626	57	2018
Second Ward.....	386	461	839	991	38	83	15	169	21	40	17	25	120	275	486	44	104	312	839	58	2238
Third Ward.....	304	349	710	789	16	33	55	150	17	15	16	21	81	258	410	68	69	275	598	66	1825
Fourth Ward.....	434	646	1070	1150	85	121	114	131	59	48	30	24	167	437	692	62	179	399	816	80	2832
Total	1474	1975	3361	3790	192	306	248	530	145	156	84	101	474	1227	2118	209	458	1287	2879	261	8913

Abstract of Census Returns for the County of UNION—1885—Continued.

	Dwelling houses.	Families.	NATIVE BORN				FOREIGN BORN.						AGE OF MALES BY CLASSES.			AGE OF FEMALES BY CLASSES.			Total number of inhabitants.		
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.		Twenty to sixty.	Over sixty.
Rahway City—																					
First Ward.....	270	306	527	524	39	50	43	63	42	42	28	22	82	210	350	37	79	213	354	55	1380
Second Ward.....	308	345	607	639	10	12	46	62	80	71	33	36	106	234	384	53	98	252	394	75	1596
Third Ward.....	504	572	998	1104	51	62	41	81	58	47	49	51	150	355	603	88	136	383	717	163	2535
Fourth Ward.....	263	295	500	615	37	52	24	46	14	15	23	24	73	195	283	46	75	225	370	83	1350
Total	1345	1518	2632	2882	137	176	154	255	194	175	133	123	411	944	1620	224	388	1073	1835	316	6861
Springfield Township.....	171	190	331	352	23	22	17	28	24	18	22	10	48	122	205	41	47	132	220	32	847
Summit Township.....	368	436	899	966	4	9	175	257	45	49	67	68	158	363	612	58	114	410	741	83	2539
Union Township.....	470	539	968	1057	28	32	92	113	124	65	70	50	143	352	666	121	155	359	654	139	2589
Westfield Township.....	476	488	891	1004	54	54	52	87	64	51	51	44	101	317	582	84	121	370	644	163	2352
Total in County.....	10316	12659	21981	23777	800	1006	2536	3655	2935	2390	1479	1280	3718	9207	15253	1543	3601	9730	16873	1914	61839

Abstract of Census Returns for the County of WARREN—1885.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of inhabitants.
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Allamuchy Township.....	163	176	387	363	1	4	12	7	9	3	12	1	44	138	204	27	51	130	166	27	787
Belvidere, Town of.....	394	413	771	894	29	37	12	24	17	8	10	87	229	464	54	89	275	548	77	1814	
Blairstown Township.....	350	374	773	807	3	4	1	1	1	1	1	77	221	429	51	75	247	420	76	1590	
Franklin Township.....	326	334	633	690	4	1	1	1	2	1	1	61	221	321	86	66	233	341	53	1382	
Frelinghuysen Township.....	213	215	478	480	1	1	2	1	1	1	1	38	134	251	59	41	132	265	44	964	
Greenwich Township.....	292	214	443	457	7	4	4	5	5	4	1	40	158	240	57	52	156	205	52	920	
Hackettstown, Borough of.....	479	578	1190	1325	3	8	23	35	20	14	17	103	415	647	88	127	431	706	128	2645	
Harwick Township.....	114	118	265	250	3	3	1	1	1	1	1	25	80	131	33	20	77	132	22	520	
Harmony Township.....	277	287	610	630	2	2	3	3	3	1	3	78	200	275	68	66	204	306	59	1256	
Hope Township (not including).....	263	279	675	568	1	1	6	4	5	1	11	7	97	245	307	48	81	162	289	49	1278
Village of Hope	67	78	125	141	1	1	1	1	1	1	1	6	31	81	10	16	27	78	21	270	
Total	330	357	800	709	1	2	7	4	5	1	12	7	103	276	388	58	97	189	367	70	1548
Independence Township.....	215	261	552	519	2	3	18	19	5	5	11	5	88	151	288	61	83	150	270	43	1134
Knowlton Township.....	338	344	721	715	1	1	1	1	3	2	10	5	74	216	363	81	98	216	346	62	1456
Lopatcong Township (not including).....	143	150	349	355	1	1	16	17	5	16	2	45	137	162	38	56	136	173	23	770	
Delaware Park	31	31	54	53	1	1	2	4	3	1	9	7	27	31	3	9	20	31	4	132	
Firhtown.....	77	79	137	141	1	1	17	21	13	12	10	5	37	70	86	4	34	60	78	7	376
Pursel Hill.....	26	26	50	62	1	1	17	16	9	5	1	12	36	27	1	12	44	28	.....	160
Shimers.....	44	44	85	67	2	2	13	13	1	1	1	1	41	42	6	15	17	43	8	183	
Uniontown.....	26	26	55	48	1	1	1	1	1	1	1	9	18	21	8	7	12	22	7	104	
Total	347	356	750	726	2	2	66	71	40	33	21	14	121	329	369	60	133	289	375	49	1725

Abstract of Census Returns for the County of WARREN—1885—Continued.

	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of Inhabitants.
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Mansfield Town-hip.....	349	364	795	752	12	10	16	8	4	.....	2	1	84	262	367	116	65	235	393	78	1600
Oxford Township.....	842	877	1879	1816	9	6	145	118	103	77	125	113	295	784	1044	128	338	722	963	108	4382
Panaquarry Township.....	80	80	186	152	.....	.....	2	3	.....	.....	3	5	21	64	91	16	15	50	80	14	351
Phillipsburg City—																					
First Ward.....	419	424	874	929	9	13	13	14	23	13	4	3	102	300	469	52	119	295	499	59	1895
Second Ward.....	427	428	928	929	.....	.....	76	71	53	34	9	7	172	379	485	29	173	376	457	46	2107
Third Ward.....	537	553	1068	1132	3	6	48	47	84	66	27	29	172	410	585	63	199	421	595	65	2510
Fourth Ward.....	307	307	654	695	2	2	99	97	32	23	22	20	117	293	364	34	85	289	334	30	1616
Total	1690	1712	3524	3585	14	21	236	229	192	136	62	59	563	1382	1903	178	576	1371	1885	200	8058
Pohatcong Township.....	349	349	753	757	15	11	9	9	6	5	2	.....	91	252	380	72	116	258	318	80	1567
Washington Township.....	282	307	701	678	.....	.....	9	10	22	15	5	1	90	271	326	46	96	241	316	55	1441
Washington, Borough of.....	556	578	1179	1197	82	68	26	28	3	1	6	7	149	357	704	84	136	349	723	95	2597
Total in County.....	7896	8294	17431	17502	187	180	582	556	448	317	299	235	2232	6140	9145	1423	2331	5955	9125	1386	37737

RECAPITULATION—Census of 1885.

COUNTIES.	Dwelling houses.	Families.	NATIVE BORN.				FOREIGN BORN.						AGE OF MALES BY CLASSES.				AGE OF FEMALES BY CLASSES.				Total number of inhabitants.
			White Males.	White Females.	Colored Males.	Colored Females.	Males, Irish.	Females, Irish.	Males, German.	Females, German.	Males, all other Nationalities.	Females, all other Nationalities.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	Five years of age and under.	Five to twenty.	Twenty to sixty.	Over sixty.	
Atlantic County.....	4814	4987	9321	9131	698	627	117	199	732	651	520	360	1227	3388	5924	824	1160	3378	5678	777	22356
Bergen County.....	7360	8285	14602	15273	909	984	915	1353	1895	1441	1376	1132	2224	5797	9333	2067	3134	6845	9027	1453	39880
Burlington County...	11559	12100	25162	26026	1287	1366	907	1126	609	440	386	249	3124	8708	14073	2446	3036	8837	14545	2789	57558
Camden County.....	15114	15547	30500	31635	3583	3931	1275	1570	1238	1051	1074	828	4243	12016	19513	1842	4098	12507	20093	2373	76685
Cape May County.....	2186	2348	4993	4863	285	306	56	71	39	20	74	37	576	1617	2722	508	580	1697	2564	480	10744
Cumberland County...	8816	9431	19005	18767	1050	1009	174	207	383	299	599	489	2501	6935	10132	1653	2410	6463	10276	1612	41982
Essex County.....	29221	46010	73188	78355	2220	2741	8075	11600	13874	12712	5832	5167	13148	32722	51998	5012	14182	33938	57639	6065	213764
Gloucester County....	5741	6013	12659	12140	609	561	259	292	491	285	192	102	1559	4604	6966	1075	1546	4189	6580	1084	27093
Hudson County.....	25768	48135	79782	78579	910	1086	15773	16889	15971	15012	9263	7577	17443	39712	61241	4157	16339	46322	56343	4795	240342
Hunterdon County....	7959	8571	17239	18083	218	209	503	506	242	140	179	101	1963	5791	8725	1880	1996	6092	9772	1898	37420
Mercer County.....	12656	13501	26082	25717	1627	1577	2060	2133	1823	1471	2464	1826	3777	10231	18029	1868	3635	9977	17104	2173	66785
Middlesex County...	9379	11412	21673	22084	822	807	2252	2329	2099	1362	1652	1100	3237	9071	14411	1776	3401	8609	13708	1967	56180
Monmouth County...	12524	13457	26656	27335	1852	1833	1232	1455	736	447	446	332	3633	9792	14977	2349	3654	10139	15285	2495	62324
Morris County.....	8897	10122	20801	21371	386	440	1649	2169	629	449	1474	1307	338	8027	11810	1975	3032	8130	12310	2053	50675
Ocean County.....	3284	3405	7674	7307	75	48	78	103	69	51	104	77	897	2668	3789	631	842	2532	3632	595	15586
Passaic County.....	11863	17013	26559	27844	515	527	3716	4711	2731	2413	7445	6913	5181	13709	20346	1720	4998	13814	21432	2174	83374
Salem County.....	5323	5599	10745	10579	1499	1388	180	196	252	159	203	172	1392	4246	6225	1018	1469	3951	6913	1059	25373
Somerset County.....	5250	5753	11032	11407	793	767	52	704	758	535	520	327	1373	4545	6526	1256	1294	4231	6415	1285	27425
Sussex County.....	4291	4752	10796	10680	63	60	187	208	85	53	171	98	1243	3557	5473	1059	1163	3363	5547	1066	22401
Union County.....	10316	12659	21981	23777	800	1006	2536	3655	2935	2390	1479	1280	3718	9207	15253	1543	3601	9730	16873	1914	61839
Warren County.....	7896	8294	17431	17502	187	180	582	556	418	317	299	235	2232	6140	9145	1423	2331	5955	9125	1386	37737
Total in State.....	210267	267394	487891	497955	20388	21453	43108	52032	48047	41698	35752	29709	77819	202486	316562	38082	76901	204699	320021	41493	1278033

RECAPITULATION—Census of 1875.

COUNTIES.	NATIVE.				FOREIGN.				CHILDREN BETWEEN FIVE AND SIXTEEN YEARS OF AGE.				Blind, Deaf and Dumb, Idiots or Insane.	Total Number of Inhab- itants in Counties.
	White Males.	White Females.	Colored Males.	Colored Females.	White Males.	White Females.	Colored Males.	Colored Females.	White Males.	White Females.	Colored Males.	Colored Females.		
Atlantic.....	4897	4943	49	38	452	372	.....	.....	1471	1529	11	11	24	13967
Bergen.....	12809	12975	890	893	3996	3951	2	.....	4274	4178	201	213	66	35516
Burlington.....	23227	23080	1115	1169	1830	1832	1	1	6520	6342	269	280	62	53155
Camden.....	20657	21415	2189	2389	3123	3204	13	4	6161	6281	532	510	51	52994
Cape May.....	3769	3936	170	161	81	72	.....	1	1152	1068	44	42	20	8190
Cumberland.....	16158	15822	877	855	861	733	1	4	4675	4278	219	253	67	35311
Essex.....	54989	58453	1634	1899	25035	26787	6	9	21551	21699	296	304	238	168812
Gloucester.....	11050	10554	540	486	1028	828	.....	.....	3255	2939	163	141	37	24486
Hudson.....	48164	49443	501	613	31877	32378	12	10	20366	20547	84	105	230	163000
Hunterdon.....	17174	17704	255	275	1144	921	.....	.....	4583	4681	61	58	91	37473
Mercer.....	18982	19699	1183	1287	4429	4284	11	9	6443	6266	310	264	64	49884
Middlesex.....	17694	18048	674	644	5160	4453	2	1	6088	5559	173	143	69	48313
Monmouth.....	20269	20887	1483	1443	2232	2181	4	1	6140	6148	380	351	96	48500
Morris.....	17624	17794	299	377	4724	4574	1	2	5937	5632	40	63	72	49019
Ocean.....	6794	6362	37	38	253	221	.....	.....	2011	1900	5	8	16	13707
Passaic.....	16889	18084	391	412	8924	9073	2	.....	7087	7294	85	88	95	53775
Salem.....	9882	9624	1198	1160	451	382	3	1	2816	2684	358	327	43	22701
Somerset.....	11617	10870	861	834	2312	1557	2	.....	3244	3122	202	145	51	27453
Sussex.....	11245	11637	83	74	667	483	.....	1	3292	3180	11	14	77	24010
Union.....	17837	19479	769	894	6221	6552	1	5	5954	5976	144	144	66	61758
Warren.....	16907	16577	296	199	1944	1466	.....	.....	4940	4738	45	41	43	37389
Total.....	378194	388968	75401	16119	103746	106304	61	49	127960	126141	3663	3505	1578	1019413

